

# JUDAISM

## THE ARAB PROBLEM IN ISRAEL

### APPROACHES TO A DILEMMA

Robert Gordis

### EMIGRATION IS THE ONLY SOLUTION

Meir Kahane

### THERE IS ANOTHER WAY

Arthur H. Samuelson

### THE ARABS OF ISRAEL: A TEST OF JEWISHNESS

Ben Halpern

## FREE-WILL, GUILT AND SELF-CONTROL

Solomon Schimmel

## SOME MISUNDERSTOOD TALMUDIC PASSAGES

Marc D. Angel

Ambassador College

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JUDAISM, conceived as a free and non-partisan organ, is dedicated to the creative discussion and exposition of the religious, moral and philosophical concepts of Judaism and their relevance to the problems of modern society. Through an exploration of the meaning and needs of the Jewish experience, it hopes to widen the channels of communication between Jews and to affirm Jewish verity and vitality to the world at large.

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# JUDAISM

A QUARTERLY JOURNAL

Issue No. 104 / Volume 26 / Number 4 / Fall 1977

*The First Reader*

R.G. 387

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STATEMENT OF PURPOSE

In increasing measure, modern men are turning again to the quest for a worldview on the issues that are timeless—the meaning of life, the challenge of death, the purpose of suffering, the significance of the individual, his relation to society, and the goal of history. In order to advance this enterprise of spiritual discovery of our time this Journal has been projected. It will be primarily concerned with the philosophy, ethics, and religion of Judaism as a factor in the contemporary world . . .

We are committed to the proposition that Judaism has positive value today for Jews and for the world . . . At the same time, we disassociate ourselves from the dangerous tendency toward the hardening of party lines on the contemporary Jewish scene . . . The members of the Board of Editors belong to every school of Jewish life or to none. The trends popularly referred to as Orthodox, Conservatism, Reform, Reconstructionism, as well as others that as yet have no specific names, have their advocates among us, though no institution or movement is officially represented . . . Undoubtedly, our differences will find expression in these pages, but we shall be at one in opposing the dogmatism which takes for granted that one's own particular standpoint has a monopoly on truth and the authoritarianism which would suppress any contrary point of view.

*Judaism* will be dedicated to the quest for truth in the spirit of freedom. Our columns will be open to anyone who has something significant to say and the ability to say it well. New and unconventional interpretations, whatever their standpoint, will be welcomed from every source, for we share the conviction of the Talmud that "Both these and the others are the words of the living God." *From the introductory article by Robert Gordis, "Toward a Renaissance of Judaism" in Vol. I, No. 1.*

## *The First Reader*

### *Jews and Arabs: Is There a Solution?*

The opening section of the current issue is devoted to what may be described, without exaggeration, as the major problem facing world Jewry at this hour—the Jewish-Arab confrontation in Israel and the Middle East. In view of the complexity of the problem, it is no wonder that many varied and even contradictory solutions have been proposed. Our readers will be interested in a mini-symposium on the subject with which this issue begins.

### *Judaism and Psychology Have Some Similar Views*

From its inception to the present, Jewish tradition has made free-will the cornerstone of its concept of man as a responsible being. On the other hand, the entire enterprise of modern science is based on the principle of causality, all events and actions being determined by factors already in existence. The confrontation of free will versus determinism is, of course, an age-old problem in philosophy and theology.

Nowhere is it more acute than in the evaluation of human nature and conduct. Most contemporary schools of psychology tend to adopt a “non-judgmental” attitude toward human behavior. They recognize the existence of “a sense of guilt,” but deny the reality of “guilt,” and, in the spirit of the modern age, expunge the concept of “sin” from their vocabulary.

There are increasing signs, however, that the opposition between religion and psychology is not as intense as has previously been assumed. In his paper, “Free Will, Guilt and Self-Control in Rabbinic Judaism and Contemporary Psychology,” *Solomon Schimmel* points out that Judaism, while holding fast to free-will, nevertheless recognizes that, in practice, there are limitations on the doctrine that need to be reckoned with. In the area of psychology there is a growing recognition that the concepts of free will and, consequently, of personal responsibility that had been previously discarded, are not merely valid in theory, but are pragmatically valuable tools in mental therapy.

### *A Tribute to a Great Scholar*

One of the towering figures in twentieth century Jewish scholarship is the late Harry A. Wolfson of Harvard. His entire life was devoted to the exploration of Jewish philosophy, from Philo to Crescas, and its relation-



ship to Christian and Moslem thought. The imposing body of his work is only one aspect of his significance. *Nathan Rotenstreich*, in his paper, "Scholarship As A Priestly Craft: On Harry Austryn Wolfson," calls attention to the fact that his subject's entire life represented a priestly vocation, dedicated to the service of truth and, thus, setting forth a model for scholarship at its highest.

### *Context is All-Important*

Long before the rise of the women's liberation movement, there were some familiar passages in the Talmud which were generally regarded as negative in their evaluation of women's capacities and restrictive in their attitude toward women's rights and religious obligations. The interpretation of these passages was generally agreed upon, both by those who favored and by those who opposed their apparent thrust.

In his paper, "Understanding and Misunderstanding Talmudic Sources," *Marc D. Angel* argues that these passages have been misunderstood. The error is due, he believes, to the fact that they have been taken out of context and generalized beyond the intention of their originators.

Whether or not this revision of traditional interpretations is accepted, the paper represents a valiant effort to find a traditional basis for a more liberal attitude towards women in contemporary Orthodox Judaism.

### *Were They Germans, Were They Jews?*

As the Nazi period recedes in time, it becomes easier to survey the German-Jewish experience during the century and a half preceding the rise of Hitler. One of the most significant areas in which the confrontation-symbiosis took place was in the area of literature where German-Jewish creativity represents a major aspect of modern German culture. In his paper, "German-Jewish Literature: An Overview," *Lothar Kahn* offers an illuminating picture of that large body of material.

### *Law and Morality*

Every legal system seeks to establish itself upon the foundations of morality and justice, as it conceives of them. Nevertheless, a gulf soon develops in practice between law and ethics. In our day, even legal canons seem to be beyond the reach of many practitioners of government or business.

In Jewish law, which regards itself as the embodiment of the will of a God of righteousness, the nexus between law and ethics remained close

and unbreakable. In his paper, "The Interaction of Jewish Law With Morality," *Elliot N. Dorff* examines several ethical principles that determined legal decisions. He calls attention also to the role of ethical standards in modifying legal norms, so as to bring them into conformity with the dictates of morality. He thus illustrates an inherent superiority of a religiously grounded, inner-directed legal system over purely secular formulations of law.

### *Dance and Drama*

One of the acknowledged masterpieces of the modern theater is the play, *The Dybbuk*, by the Russian-Jewish ethnologist and folklorist, S. Ansky. Originally written in Yiddish, it has been translated into Hebrew and produced in virtually every Western language, both on the stage and on the screen.

In this story of a pious girl in an East-European Hasidic community who is possessed by the spirit of her dead lover to whom she was denied, the dance plays a central role. *Sheryl Spitz*, in her paper, "The Dance of *The Dybbuk*," analyzes the various dance patterns that appear in the play. She calls attention to the central role that they occupy in advancing the action of the drama, as well as their symbolic function in revealing the power of the demonic forces in life as a whole.

### *There Is Always Another Chance*

One of the distinguishing hallmarks of the modern age is the recognition of the importance of process as against event. This is true not only in the area of history but in philosophy and theology as well. The concept of *teshuvah*, imperfectly translated as "repentance," is a striking case in point. It represents not a one-time decision but, actually, a long-term process of remolding one's personality and actions to conform closer to an ideal. This deeper significance of *teshuvah* is explored by *Aryeh Botwinick* in his paper, "In Defense of *Teshuvah*—A Modern Approach to an Ancient Concept."

### *Some Subtleties in Agnon*

One of the less obvious but profounder signs of the coming of age of the Jewish community in the State of Israel is the increasingly sophisticated character of its *belles lettres* and literary criticism. A significant contribution to understanding contemporary Hebrew literature in depth is provided by *Warren Bargad* in his paper, "The Poetics of Allusion and the Hebrew Literary Tradition," in which he calls attention to several subtle aspects of literary art in Israeli writing today.

*Another Look at Zionism*

That there is an inner crisis in Zionism today is scarcely a secret. The fulfillment of the basic goal of Zionism, the establishment of a sovereign Jewish State in Palestine, has stripped the Zionist movement of its basic *raison d'être*. Nevertheless, a scrapping of the Zionist movement would mean the loss of a potentially valuable instrument for meaningful Jewish survival. Accordingly, from various quarters, the effort is being made to reinterpret Zionism and, thus, to restore its vitality.

*David Polish* undertakes this task from the vantage point of Reform Judaism. Recognizing the original antagonism between Reform and Zionism, which has long since given way to collaboration and support, he suggests, in "Towards a Progressive Theology of Judaism," that Jewish religion can contribute significantly toward endowing Zionism with the spiritual and ethical goals which it once abundantly possessed and now desperately needs.

R. G.



# TOWARDS PEACE IN THE MIDDLE EAST

## *Approaches to a Dilemma*

ROBERT GORDIS

AS OUR READERS HAVE BEEN REMINDED TIME and again, the columns of JUDAISM are open to every significant point of view when expressed intelligently and intelligibly, with clarity and urbanity.

This vision of the role of JUDAISM is not due to the absence of convictions on the Editor's part, as those who know him will testify. It is, on the contrary, a consequence of a deeply felt conviction, probably nurtured and strengthened by a life-long preoccupation with the vast, far-ranging variety in the Bible and rabbinic literature that, at best, human beings can only touch the hem of the garment of God, whose seal is truth and with whom alone the full truth resides.

In the practical sphere, this leads directly to a total commitment to the ideal of freedom of thought and speech. As a great modern definition puts it, liberty is the spirit that is never quite sure that it is right.

Nowhere, I believe, is such an approach more salutary than in dealing with the troubled, emotion-charged issue of Israel and the Middle East. The pages of this journal, like those of many other forums of opinion, have been filled with presentations of varied, indeed clashing, points of view on the future of the State of Israel, the position of the Arabs within its borders, the territories administered by Israel since 1967, and, above all, the relations of Israel to the Arab world. There has been a plethora of proposals and solutions, often diametrically opposed to one another. What they all have in common is that none of them is free from significant difficulties in varying degrees. In every instance, it is easier to punch holes in a given solution than to propose one that is free from objections.

It is clear that the free and untrammelled discussion of all aspects of the problem is not merely helpful but indispensable, if we are to arrive at the least difficult approach to peace and justice in the Middle East.

Some time ago, (before the May elections to the Knesset), Rabbi Meir Kahane, founder and leader of the Jewish Defense League and spokesman for a strong intransigent policy toward the Arabs, submitted a paper to us, entitled, "Emigration is the Only Solution." The presentation of his views is clear and unequivocal and the issues that he raises are of fundamental importance and cannot be swept under the rug. On the other

hand, the solution which he proposes cannot be described, even remotely, as universally acceptable. I therefore invited advocates of other approaches to the future of Israel to respond directly or indirectly to his article in a mini-symposium. It is regrettable that leaders of the official General Zionist movement in America who were invited and who accepted our invitation to contribute were unable to fulfill their commitments. However, our readers will welcome the two excellent presentations which follow upon Rabbi Kahane's article. The first, "There Is Another Way," is by Arthur Samuelson, Editor of *interChange*, the official organ of Breira. Though his article reflects the viewpoint of his group, he indicates that it is not to be regarded as a statement of its philosophy and program. The second, "The Arabs of Israel: A Test of Jewishness" is by Ben Halpern, a distinguished authority on Middle Eastern politics and a foremost theoretician in the ranks of Labor Zionism. In it he presents a rationale for the approach to the Arab problem which has basically prevailed in the Israeli government through the years, at least until the recent Knesset elections.

Together, these papers offer a conspectus of three major positions with regard to the future of Israel and its relations with its neighbors. How life will deal with the issue only the future will reveal.

# *Emigration is the Only Solution*

MEIR KAHANE

SOME YEARS AGO I WAS ARRESTED BY THE Israeli police and charged with “incitement to revolution.” The grounds? I had reached the conclusions that: Arab-Jewish confrontation in the Land of Israel (both the State and the lands liberated in 1967) was incapable of a peaceful solution; that the Jewish State was inevitably headed toward a Northern Ireland-type of situation; that the only possible way to avoid or to mitigate it was to encourage the emigration of Arabs to western lands, and consequently, that I had sent letters to several thousand Arabs offering them an opportunity (funds and visas) to emigrate voluntarily. The fact that a large number of Arabs replied positively and that a major Arab village in the Galilee, Gush Halav, offered to move all of its inhabitants to Canada in return for a village there, did not prevent the worried Israeli government from arresting me and charging me with a crime.

Four long years and one important war later, a scandal broke in Israel as it was revealed that Yisrael Koenig, a high official in the Ministry of the Interior, who is in charge of the northern region of Israel, had drafted a secret memorandum in which he warned of the increasing danger of Arab growth (that would turn the Galilee into an Arab majority by 1978), as well as of increasing Arab national militancy. His solution included a number of measures that he hoped would lead to Arab emigration.

The pity is that four vital years have passed since my original proposal; four wasted years and a period that saw the Yom Kippur War produce a major psychological change in Arab thinking. In the aftermath of that war and the political results that followed, vast numbers of Arabs who, in 1972, were depressed and convinced that Israeli sovereignty could not be destroyed, today are just as convinced that time is on their side and that it will not be long before the Zionist state collapses and they—the Arabs—will hold sway over all that will be “Palestine.” The necessary corollary is, of course, that hundreds of thousands who were potential emigrés four years ago have now turned into people who are determined to stay and await the day of Arab victory.

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MEIR KAHANE is an author, journalist and founder of the Jewish Defense League.

In analyzing the Jewish-Arab problem, we come across certain myths that have insinuated themselves stubbornly into the Israeli and Jewish consciousness. To say the least, they are the major obstacles in the way of a realistic, lucid and sane approach to the problem.

*Myth One:* The essential problem facing Israel is an external one, i.e., making peace with the surrounding Arab states and with the "Palestinians" living in Judea and Samaria (the West Bank), Gaza, and the refugee camps. Once this problem is solved, the Arab-Israeli dispute will be closed.

Let it be clear that should the Arabs in the Middle East agree, by some unforeseen miracle, to the acceptance of Israel as a state in their region, and not as a foreign body; should, by some unforeseen miracle, the "Palestinians" agree to a state of their own alongside Israel and mean to accept the existence of the Jewish State, Israel will not in any way have resolved its problems with the Arabs.

Even postulating the above impossible dream, the Jewish State will be left with a huge and growing minority of Arabs that bitterly resents the Jewish majority, that feels itself to be "second-class," and that, at a minimum and as a first step, seeks autonomy, then the dismantling of the Zionist state and its turning into a bi-national one and, finally, an Arab one.

One of the arguments raised by proponents of the return to Arab sovereignty of the lands liberated in 1967 is that of population. Therefore, contend the "doves," to keep these lands and make them apart of the Jewish State is to jeopardize its "Jewish character." The influx of hundreds of thousands of Arabs into Israel would see their percentage rise dramatically and, thanks to their birthrate, the majority that Jews now enjoy in Israel may very well end.

While appreciating these arguments, let it be understood that the problems do not disappear with the giving away of the liberated lands. They remain—and only in lesser degree—in the existence of the Arabs of Israel. We are dealing here with a group that already numbers more than half a million, whose birthrate is among the highest in the world and whose survival rate is considerable, what with Israeli medical care. By contrast, the Israeli birthrate is exceptionally low (progressive Jewish women, as the joke goes, read of overpopulation in India, so *they* stop having babies). The one factor that has kept the Jewish-Arab ratio fairly stable despite the much higher Arab birthrate—Jewish immigration or *aliyah*—is at its lowest point in years and at one of the lowest points in Israeli history (last year less than 20,000 new immigrants arrived and, this year, larger numbers are not expected). The rate of Israelis leaving for other lands has climbed dramatically and there will be a sharp net loss when one balances immigration and emigration.

In the sensitive Galilee northern region, the Arabs already constitute more than 45% of the population and will become a majority there in less than two years. This will certainly give a tremendous impetus to calls for

political autonomy in the region, which borders on Lebanon and the Golan Heights.

Nor should the political situation be forgotten. The political consciousness of the Israeli Arab is growing rapidly, due to education and other factors to be discussed later. Until now, this political power latent within the Arab sector has been muted, for a number of reasons, among them the control over villages by reactionary and feudal village chiefs who also headed *hamullas* (clans) and were thus able to guarantee thousands of votes after themselves being bought by Israeli parties with both money and meaningless prestige. At the same time, the one party that made no bones about being the vehicle for Arab nationalism, the Communist Party or Rakah, was too "dangerous" and lacking in the "respectability" that it needed to persuade hesitant and middle-of-the-road Arabs openly to back it and to vote for it. What has emerged then, over the years, is a number of so-called Arab parties that are, in reality, nothing more than lackeys of the Labor Party; the same situation has held true in the village councils.

All of this is ending and the power of the village chiefs and feudal leaders is eroding rapidly as the election in Nazareth of a Rakah mayor and city council clearly shows. Indeed, the possibility of larger and larger numbers of Arabs being elected to the Knesset is obvious and they will surely be within the context of Rakah or some other nationalist group. In a Knesset so split among countless Jewish parties and in which the ruling coalition needs every vote, the power of the Arabs will be magnified many times.

There surely is a demographic problem for the State of Israel, but it does not begin and end in the liberated lands. It sits right in the Jewish State in the form of a rapidly increasing Arab minority that grows in both quality and quantity and that is bitterly hostile to the Jewish majority. This fact leads us directly to:

*Myth Two:* The Arabs of Israel are equal citizens and the democratic institutions of the state guarantee to the Arab minority equal rights.

There is no doubt that Israel as a state is as democratic as any can be when it is composed of two large blocs of nations. There is no doubt that the Arab of Israel enjoys full religious and cultural freedom, can say and write what he feels, can exercise political rights in the sense of voting for the party of his choice, just like a Jew. But to think that this makes the Arab of Israel feel that the state is his and that his national destiny there is the same as that of the Jew is to fail to understand the reality of being an Arab in what is *de facto* and *de jure* a Jewish State.

Israel was created as a Jewish State, as a homeland for the Jewish people where they would be a permanent majority, where they would control the domestic and foreign affairs of that state. Theodore Herzl, the effective founder of political Zionism, spoke of the dream in his book that he called *Die Judenstaat*, the Jewish State. The Declaration of Indepen-

dence of Israel, quite simply and openly, speaks of what the State of Israel is as it opens with the following words:

Eretz Yisroel was the birthplace of the Jewish people . . . After being forcibly exiled from their land the people kept faith with it throughout their dispersion and never ceased to pray and hope for their return to it and for the restoration in it of their political freedom. . . .

In the year 5657 (1897) . . . the First Zionist Congress convened and proclaimed the right of the Jewish people to national rebirth in its own country . . .

On the 29th November 1947, the United Nations General Assembly passed a resolution calling for the establishment of a Jewish State in Eretz Yisroel. This recognition by the United Nations of the right of the Jewish people to establish their state is irrevocable. This right is the natural right of the Jewish people to be masters of their own fate, like all other nations, in their own sovereign state.

Accordingly we, members of the People's Council . . . hereby declare the establishment of a Jewish State in Eretz Yisroel to be known as the State of Israel.

The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles. . . .

Note the innumerable times that there are clear statements of what Israel is meant to be. The land is "the birthplace of the *Jewish people*." The first words of the declaration of the state set the tone. It is the birthplace of the Jew—not the Arab—and it is the Jews who were "exiled from their land," it is the Jews "who kept faith with it" and "never ceased to pray and hope for their return." Can we seriously expect the Arab to feel equal or to have a share here? A declaration of independence that he is expected to see as his own begins by speaking of the land as the birthplace of the Jewish people. But he is not a Jew. It speaks of an exile and a dream of return, but he was not exiled and, if anything, the dream of return of the Jew was the hope of making the Arab a minority. For the Arab who dreamed of Jews *not* returning, this Jewish dream is the Arab nightmare!

When the Israeli Arab is told to rise for "his" national anthem—*Hatikvah* (the "hope")—and sings of "the Jewish soul yearning" and "the hope of 2,000 years," can he be expected to feel empathy? When the Israeli Arab looks upon the happy revelers on Israel Independence Day celebrating, in effect, the Arab defeat and the displacement of an Arab majority of Palestine by a Jewish majority of Israel, is he seriously expected to join in? When, in the words of the Declaration of Independence, the Law of Return opens the gates "for Jewish immigration" and not Arab influx, for the cousins of the residents of Tel Aviv but not of those of Nazareth, is it surprising that the Arab feels alienated from the state?

Indeed, when the "moderate" and the "dovish" Jewish leaders of Israel, those who gladden liberal hearts by calling for the return of the "occupied territories," do so because "of the need to retain a Jewish



majority” and warn against “too many Arabs” (one recalls wryly the attack on me by Golda Meir for “offending the sensibilities” of the Arabs, followed some time later by her classic speech in which she spoke of the need to give up land because “I do not want to awaken each morning worrying about how many Arabs were born the previous night”)—then think of how “equal” the Arab feels.

*Myth Three:* The way to peaceful coexistence between Arab and Jew in Israel is to raise the standard of living and to create a new generation of educated Arabs. Already, Israeli Arabs enjoy the highest standard of living in the Arab world and each year more and more enter high schools and universities.

It should have been obvious by now, as the result of tens of examples in other countries, that one does not buy the national aspirations of a people with indoor toilets. The Arabs of Israel, a minority that possesses national aspirations, will not be bought off with material goods, electricity or higher education. Indeed, it is clear that the more social, economic and political progress is made and the more educated the Arabs become, the less satisfied they will be and the more extreme, nationalistic and antagonistic to the Jewish State.

I stood on the campus of The Hebrew University last spring during a riot that erupted between Arab and Jewish students there. One of the Arabs, a “Sabra,” Israeli-born and university-educated, stood and shouted: “We will free the Galilee with blood.” He was not speaking of a city in the “occupied territories.” He was not calling for the freeing of the all-Arab city of Hebron or Shekhem. He was not a resident of the West Bank. This was an Israeli citizen, an Arab born in Israel, who spoke perfect Hebrew, had an Israeli education and was now studying at The Hebrew University, calling for the “liberation” of a section of Israel itself. It should be obvious to all but the most benighted that it is the more educated Arab who will be the future extremist, nationalistic, and PLO-backing leader of his people. Why not? Was the Black revolution in the United States led by some shuffling Harlem Black? Of course not. It was precisely the young, educated Black who was receiving the opportunities that Blacks had demanded for decades who was the leader in demanding more. The Arabs are no different.

The heart of the Jewish-Arab problem in Israel is the same as that of the dispute between Israel and the Arab states. All of the Arabs, including those in Israel, believe that the Jews are thieves, robbers who came to an Arab Middle East and stole a part of it. It does little good to bemoan the fact that the Arabs will not “compromise” or accept the arguments given by Jews (the bad as well as the very good). He is not interested in a British promise to Jews as embodied in the Balfour Declaration (“Who were the British to promise ‘our’ land?”), he is not moved by tales of Jewish suffering under the Germans or other Europeans (“Let them compensate Jews by giving them part of their countries”), and he is not even swayed by the

oft-heard boast that the Jews turned a desert into a garden (“Yes, but it was *our* desert and now it is *your* garden”).

Even to begin to believe, in our times, that it is possible for two large nations to occupy the same land in peaceful coexistence when they differ in every possible area—language, religion, culture and nationality—is an illusion of the first magnitude. When you add the fact that the present minority was once a majority, the hopelessness of the situation becomes even more apparent. And when the minority knows that it has massive support from brother-Arab states with potential and power to “free” it; and when it sees a vast majority of the nations of the world supporting its cause; and when it knows that all but one of the superpowers are sympathetic and that the one supposed ally of Israel is slowly but surely moving to pressure and to fatally weaken her; when the knowledge that a “Palestine” will sooner or later exist alongside the Israel that the minority is struggling against, then the hope of “liberation” becomes more and more of a certainty in the breast of the minority.

There are those who sincerely believed that the Arab national consciousness could be bought with economic and social gains. They were naive. There were those who *wanted* to believe, and disregarded all of the evidence to the contrary. They were fools. But the evidence is clear that the twenty-five years of relative peace and coexistence in Israel were in no way the result of Arab satisfaction and happiness. The quiet came about, in the first place, because the Arabs were stunned by their awesome defeat in 1948, when not only were the armies of the neighboring Arab states routed but when half a million Israeli Arabs fled the country.

The “peace” over the next two decades was a product of a continued kind of “shellshock” in which the Israeli Arab saw an apparently invincible and permanent Zionist rule turn back every Arab effort to overthrow it; a military government-type of control over their lives, so that their freedom was severely curtailed; a cutting off of the Israeli Arabs from contacts with other Arabs and, especially, their brother “Palestinians,” thus greatly inhibiting any growth of nationalism in their ranks; and a corrupt and reactionary feudal leadership that was easily bought by the Israeli government and that, in the current primitive conditions of the Arab village, held absolute sway over life.

But all that has changed, due for the most part, ironically, to Jewish efforts to modernize and educate the Arab. The young Arab who is growing up with compulsory education and in a modern society is a radically different creature from his father, the *fellah*, the peasant, who surely hated the Jews, too, but was resigned to a hopeless acceptance of Jewish rule, that was rationalized by the economic progress that he was making under it. Not so his son—and, increasingly, his daughter. To the foolish delight of the Jews and the much more realistic opposition of the Arab elders, a new, modern, sophisticated generation of Arabs is coming into being. It is more educated, more in tune with the world, more radical,

more nationalist, and more dissatisfied. Above all, it is more determined to speak up for Arab "rights."

The greatest impetus of all to this new awakening was the Six Day War. Again, ironically, it was the Jewish military victory that the Jews turned into yet another political defeat. For the first time in nineteen years the Arabs of Israel were able to meet and talk with other Arabs who were not Israelis, who called themselves "Palestinians," and who openly spoke of the day when the hated Jews would leave. The Israeli Arab suddenly realized that he was neither meat nor milk, neither fish nor fowl. He was not an Israeli (that he had really always known since it was only the Jew who felt that way). But now he was struck by the awesome realization that he had not been a "Palestinian" all these years either! He was looked upon by the West Bank "Palestinians" as a traitor who cooperated with, and accepted, Israeli citizenship from the Jews who had stolen the land from his people. In one fell swoop, all the factors that went into creating the new radical Israeli Arab came together. Things would never be the same again.

From that moment on, the Arab revolution in Israel began. Every increase in education produced, not a happy and satisfied Arab, but a bitter and more radical one, one who was being trained by the Jew to be the extremist leader of the Arab nationalist cause. Every bit of economic progress merely caused more rising expectations and invidious comparisons with the Jews. Fatah, the PLO, became the national heroes of the young and intellectual Arabs. Each terrorist attack was hailed and, increasingly, Israeli Arabs were found to have taken part in terrorist raids. Each such "phenomenon" brought forth a wave of articles in the Israeli press, with the questions: What is bothering the Israeli Arabs? and the answer: More integration is needed. . . .

The Yom Kippur War, with its temporary military defeat and very real political setback for Israel, changed the entire psychological mood of the Arabs. It was the first war that the Jews—if they had not lost—certainly had not won, thanks to the United States. The political constellation had changed and Israel was on the defensive. Instinctively, the Arabs sensed that Israel was more cautious, more worried about world (read: United States) opinion. The feelings that had been there for so many years, denied by the naive, and overlooked by the foolish ones, suddenly erupted. Arab students at Haifa and The Hebrew University refused to participate in guard duty because it went against their "conscience;" a controversial party was held by Arab students at The Hebrew University on the night of the Ma'alot massacre of Israeli children. Arabs at the religious Jewish Bar Ilan University insisted on holding a memorial for the victims of the village of Dir Yassin who have been propaganda martyrs ever since the incident in 1948.

In Nazareth, largest of the Arab cities and one of the largest cities in Israel, Jews were (strangely) stunned to find Toufik Zayad, the candidate

of the Rakah Communist party, sweeping to a smashing victory, getting two-thirds of the vote and 11 of the 17 council seats for his party. Not only was it clear to all Israelis that the Arabs of Nazareth were voting Rakah not because of its communism but because of its unabashed and open Arab nationalism, but that Zayad was the writer of an infamous poem extolling the Egyptian crossing of the Suez Canal in 1973 and the smashing of the Bar Lev line. Most telling, however, was the emotional outpouring of Arab joy on the night of the victory as automobile horns honked unceasingly, men embraced in the streets, and cries of joyous victory rang out in the all-Arab city.

The victory was an intoxicating one and escalated the Israeli Arab to new political toughness. The winter of 1975-76 saw serious rioting in Judea and Samaria, as well as in East Jerusalem, where Jewish demands to pray on the Temple Mount (Arabs pray there daily) led to mobs burning tires and pelting passersby with stones. Meanwhile, the efforts by the government to develop the Galilee and to bring in more Jews through expropriation (with compensation) of the land gave the Arabs a golden political issue. Rakah, in the forefront of the incitement, began to drum up a call for a massive strike and protest on March 30, 1976 to be known as *Yom Ha-adamah*, or Land Day. On March 7th, to the delight of his listeners, Zayad proclaimed that: "The motherland calls upon us to stand firmly against these plots (of the Israeli authorities). We will hold them by the throat because they wish to choke us."

Land Day was nothing less than a revolution. For the first time in the history of the State, thousands of Israeli Arabs throughout the Galilee and the Little Triangle (near the coastal heartland of Israel) rioted and attacked Israeli soldiers. Rocks and molotov cocktails were thrown, 6 Arabs were shot and killed, at least 38 were wounded, and hundreds were arrested. But more than 30 soldiers were also hurt and—most important—in many towns the soldiers were ordered to withdraw and let the Arabs riot, as long as they did not leave the confines. Despite the typical and so myopic comment by the *Jerusalem Post*: "hopefully the moderate forces in the Arab community—who are the majority (sic)—will realize that the perverse course designed by Rakah can only lead to disaster," it was crystal clear to the Arabs that they had gained a startling victory. The barrier of fear of the Israeli army had been broken.

The "moderates" no longer speak for the Arabs and the question is not whether PLO in particular is the spokesman of the Israeli Arabs. What is clear is that nationalism, *per se*, is their spokesman and they see Israel as an ever weaker, ever beleaguered, ever pressured state. Time, it is believed by the Israeli Arab—for the first time—is on his side. And perhaps the most startling of all the developments was the bold, abortive attempt by the heads of the Arab village councils to change the definition of Israel as a Jewish or Zionist state to that of a "bi-national" one. Bear in mind that the council is made up of overwhelming "moderates," and has always been

looked upon as a "safe" instrument by the Israeli government. The change in tone here indicates that the old-line "moderates" sense in which direction the Arab wind is blowing in their villages.

The very near future will see an organized and politically clever campaign spearheaded by Rakah to demand "equal rights" for the Arabs; to protect land from expropriation; to protest Jewish settlements in the "occupied territories," and to call for more autonomy for the Arabs of the Galilee. There will be demands for Arab Knesset representation proportionate to the Arab population. These will be accompanied by demonstrations and riots and every victim will be a political bonus which will lead to world condemnation of Israel as well as to hesitancy and calls for concessions by Jewish leftists and some liberals. The result will be a strengthening of the nationalists as they move toward complete domination of the Arab political sector. More and more Israeli Arabs will become involved in violence and terror that will become increasingly sophisticated and will lead to a greater number of Jewish casualties. With Israeli Arabs free to walk around Israel (Jerusalem has no less than 105,000 Arabs, or one third its population) there is nothing that can stop this process.

It would seem that rather than face the need for a drastic solution, large numbers of Israelis will choose either to hope for a miracle or to opt for more concessions and integration. One major reason for this attitude is:

*Myth Four:* There is a "Palestinian" people and the Arabs of Israel are part of that people.

At least part of the unwillingness of the Israelis to deal strongly with Arab excesses stems from an unjustified undercurrent of guilt. The facts that Arabs, in stupefying numbers, are allowed to evade taxes, or to build illegal dwellings at a time when the border police are sent to knock down an illegal Jewish structure in Tel Aviv or Kiryat Arba, and that Bedouin may take over hundreds of thousands of dunams of government land, all stem in great measure from the feeling that there is a "Palestine" people, that there was a "Palestine" state and that, somehow, Jews mistreated this people, part of whom now live in Israel as "not quite equal citizens with Jews." Therefore, there is opposition to even such a minimal and sane analysis of the problem as the Koenig document and a furious condemnation of any notion of involuntary transfer of the Arabs from Israel. If ever such a plan were to be adopted, obviously its main thrust would have to be directed, not at the Arabs, but at the Jews—to explain to them why Arab emigration is so vital, why it is not immoral and why there is no such entity as a "Palestinian" people.

The non-Jews of Israel certainly do exist—there is no doubt of that. And they are a people—that is not to be debated. But they are *Arabs*, part of the Arab people and nation, and not a spurious and counterfeit creation known as "Palestine."

When the Jewish people, after bloody and fierce battles with the

Romans, was driven out of a homeland where it had dwelt for well over a millenia as a nation, plus half as long as that from the time of the Patriarchs, it was an exile of body only. Not a day passed that did not see the Jew turn to Zion (not Mecca) and silently mouth the words: "May our eyes behold Thy return to Zion in mercy. . . ." Countless customs were adopted, each one aimed at making the Land of Israel a real and living thing for the Jew. To be sure, many people came into the land—which had now become desolate and barren—but for the Jew who never dreamed of giving up title to his country, each of these people was a trespasser without legal right or title. Byzantine, Turk, Crusader, Arab—the names meant little to the Jew who knew that there was only one people, Israel, that had title to that land, the Land of Israel.

For the Jew, "Palestine" remained nothing more than a name given by the gentile to *his* land. What did it matter to the Jew that the Roman Caesar, Hadrian, after crushing the revolt of Bar Kokhba in the year 135 C.E. and after suffering heavy casualties himself in the long war, determined to erase the name of Judea from memory and changed the name to "Palestine?" For the Jew, a Hadrian had as little relevance as the name of "Palestine," which he had illegally given the Land of Israel. And if the British retained the name when they were given the Mandate by the League of Nations, that, too, was not relevant to the Jew.

There are more than half a million Arabs in Israel today, but no "Palestinians," and the sense of guilt is curiously misplaced. Rather than being beset by it, Jews of Israel ought to concern themselves with self-preservation in the face of a hostile Arab nationality that seeks to eliminate an "Israel" and replace it with a "Palestine."

There is increasingly little time left to eliminate effectively the creation of a Cyprus or a Northern Ireland in Israel. I strongly suggest that the following plan for the transfer of Arabs from the Land of Israel (the State and the territories liberated in 1967) be implemented:

- 1) Every Arab resident of these lands should be offered a voluntary transfer to either an Arab or, if possible, a non-Arab land. Those who accept shall be given full compensation for property, plus a cash bonus, as well as first priority at visas for the West (with occupational training if necessary). Fair compensation for property shall be fixed by an impartial body.

- 2) All Arabs who decline the offer shall be asked to make a pledge of their loyalty to the *Jewish State* in which they will accept the Land of Israel as being the home of the Jewish people and recognize total Jewish sovereignty over it, as well as the absolute and exclusive right of the Jewish people to it. Those who do so shall remain as residents and citizens of Israel with no national sovereignty, since they are not members of the Jewish nation, but with *individual* rights to live their own cultural and communal lives as permanent legal minorities.

- 3) Those who refuse to declare their allegiance shall be compensated



for property, *but not given a bonus*, and shall be transferred only to Arab—not Western—lands. This transfer shall be effected peacefully, if possible, but if the Arab still refuses, then forceably *and without compensation*. The Arabs who are transferred shall be taken to the Lebanese or Jordanian border or to the area separating Israel and Egypt.

4) Remaining Arabs who have pledged loyalty to the Jewish State, but who shall subsequently be found guilty of security offenses, and all those who knowingly aid such people, shall not be imprisoned, but shall be deported without compensation.

5) The world Jewish community shall be thoroughly briefed on the problem and, especially, on the consequences of failing to carry it through. World Jewry shall be asked to mount an emergency campaign to finance the emigration program.

Such a program, while it will be the target of an unprecedented hate campaign of villification, will be the most humane possible. Anything short of it dooms Jews and Arabs to bloody confrontation with countless victims on both sides, and guarantees the continued existence of an embittered minority within the Jewish State and an ever-more frightened majority. Failure to implement the plan perpetuates the present unhealthy situation wherein the Jew does less and less manual and “black” work and relies, instead, on a serfdom of “hewers of wood and drawers of water,” that includes young children and women who are exploited for their cheap labor.

There is nothing novel in the concept of removing a hostile minority from a land to which they pose a dangerous, irredentist threat. We need cite only *the forceable removal, without compensation*, of Germans from Poland, the Czech Sudetenland and Hungary after World War II. Pursuant to the Potsdam Agreement between the Great Powers, no less than eight million Germans were so expelled. Other cases of population transfer include the nearly million Turks and Greeks who exchanged homes in the early 20s and the approximately ten million Hindus and Moslems in the wake of the partition of the Indian subcontinent into India and Pakistan. And if the term “exchange of population” raises eyebrows, let it not be forgotten that more than half a million Jews from Arab lands fled to Israel after 1948. The time to complete the exchange coincides with an opportunity to save the Land of Israel from unimaginable heartache, untold misery in the form of permanent friction, hostility and war.

Opponents of Arab emigration call such plans “incitement to revolution.” But the truth is that the very existence of the State of Israel already assures that. It is the presence of Jews and Jewish institutions in East Jerusalem, the plans by the government to “Judaize” the Galilee, the very existence of Tel Aviv and an “Israel” in place of a “Palestine” that incite and assure Arab hatred and dreams of revenge.

In July, 1974, the Prime Minister’s Adviser on Arab Affairs, Shmuel Toledano, warned of tragedy “unless the Arab minority is totally accepted

by the Jewish majority as an integral part of the state.” Two days later, the pro-Palestine Lebanese paper, *Al Muharrar*, under the heading, “Not By Bread Alone Shall Man Live,” wrote:

Even if there was an opportunity to integrate the Arabs into Israeli society, this would not solve the problem since man does not live by bread alone and he has other needs, including to live honorably in his homeland.

Too many Jews and their allies have deliberately ignored this point, as well as the much older indication that the Arabs will never make peace with the Jews in what was once “Palestine.” In 1921, the Arab writer, Izzat Darwazah, wrote in the Haifa Arabic newspaper, *El-Karmel*:

They (the Zionists) keep dinning into our ears the word “misunderstanding.” Are they trying to tell us that flooding the country with an overwhelming Jewish majority is nothing to frighten the Arab nation in Palestine? . . . Won’t Mr. Sokolow (the Zionist leader) tell us which rights the Arabs in the Land of Israel will not be deprived of by Zionist political fulfillment? Let the leader of the Zionist movement . . . find for their nation some uninhabited country.

These words were written fifty-six years ago when there was yet no Jewish majority to turn the Arabs into a minority. Do we feel that anything has changed?

Peace and tranquility can come to the Land of Israel by dismantling the Jewish State and junking Zionism. Those to whom this does not appear to be a desirable goal must then face the bitter truth of a permanently hostile Arab minority growing in quality and quantity from year to year. The choice is clear. Either a bold return to sanity and Jewish survival by the transfer of the Arabs out of the country or the realization of the dire Biblical prophecy: “. . . then shall those that ye let remain of them be as thorns in your eyes and as prickles in your side and they shall harass you in the land wherein you dwell.”

# *There Is Another Way*

ARTHUR H. SAMUELSON

WE ARE IN KAHANE'S DEBT FOR WRITING THIS article. Like Jabotinsky before him, he shows a penchant for confronting problems that most of us weaker souls would prefer to avoid dealing with for fear of opening up a whole set of other questions which are very difficult to answer. Kahane is right that Israeli Arabs are essentially second class citizens. He is right that any discussion of the plight of the Israeli Arabs is going to bring up the larger question of Israel as a Jewish State, a question which touches on the very legitimacy of the State's existence. Finally, Kahane is right when he cautions us that not to confront the question of Israel as a Jewish State is not going to remove the threat posed to the State by the Israeli Arabs.

What is surprising about Kahane's article is that, coming from one who professes Zionist credentials and concerns, his argument really contains very little that is of Zionist content. After all, it is an Arab, not a Zionist, argument that Israel is a foreign plant in the Middle East, unable and unwilling to integrate itself into the region. Israel, according to Kahane, is, by definition, the kind of state that the Arabs say it is—another South Africa. He mocks the concern of those Israelis who do not want to turn Israel into a South Africa through annexation of the Palestinians on the West Bank and Gaza Strip by arguing that Israel already *is* South Africa. While the Arab extremists conclude that the only real solution is to throw the Jews into the sea, our Jewish extremists conclude that the only real solution is to throw the Arabs into the desert.

Kahane demands that we take him seriously, and I suppose that many will try to argue the dangers of his proposal with him. But the real danger of his argument is not that anyone will rush out (after reading JUDAISM) to deport Arabs, but that his line of reasoning, if left unchallenged, will undermine the Jewish people's struggle for Israel's existence in a way that Arab and Palestinian propaganda could never achieve.

Let us look at his argument. Stripped to its essentials, Kahane is arguing that Israel is *de jure* a Jewish State and, therefore, by definition and law is discriminatory against Arab citizens. Without a peace settlement with the Arabs, he argues, the Israeli Arabs are a security threat to the State, not to be trusted, a fifth column, too dangerous to be integrated

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into the mainstream of Israeli national life. But even with peace, he continues, the existence of an Arab minority in Israel, because of its high birthrate, will still constitute a threat to the country's Jewish majority. Any attempt on the part of the Arabs to alleviate their second class condition will necessarily threaten the Jewish character of the State. Thus, he concludes, the Israeli Arabs are more dangerous to Israel's security than are the PLO and all the warring Arab states combined. The only solution—distasteful and immoral as it may seem—is forced emigration. This is actually in everyone's interest, he claims, since the Arabs can't possibly be happy living in a Jewish State and the Jews can't possibly be happy about having them there making all those babies.

But Kahane is *wrong* when he claims that Israel is *de jure* a Jewish State. By law, Israel is the "secular democratic state" that Rabin said it was in his address to Congress last year. Legally speaking, the Arabs have all the rights, and fewer of the responsibilities, of citizenship that Jews have. In practice, however, Israel is also a Jewish State. Working within it are a whole network of extra-territorial non-State institutions—the Jewish majority. This implies a certain confusion, if not contradiction: does Israel "belong" to its citizens—both Jewish and Arab—or to the Jewish People?

This is why the State of Israel, born with an unanticipated Arab minority, cannot be accounted for in Zionist theories of Jewish self-determination. Most pre-state Zionist theorists did not concern themselves with the possibility that Jews might one day be ruling Arabs. Their theories entailed Jews ruling Jews; they did not think in terms of the political workings of sovereignty, but of cultural autonomy. The Zionist institutions working for Jewish interests today were created to advance the *yishuv* and were not intended to serve a state with obligations to both Jews and Arabs. These institutions represent a major factor in Arab inequality in Israel. The Jewish National Fund, which owns a great portion of Israel's land, is not allowed to sell to Arabs, which effectively means that the Arabs are not allowed to buy land at all. While Jews are not allowed to buy this land either, they are entitled to benefit from it—most kibbutzim rest on such lands. Similarly, there is no law preventing Arabs from living in development towns such as Carmiel (built on Arab land and surrounded by Arab villages) or in Upper Nazareth, except that their development is financed by the Jewish Agency and, therefore, apartments are available only to Jews.

In addition to this "second government" which works only for the Jews, the Israeli government discriminates against the Arab minority in favor of Jews. There is no law providing for "Arab departments" in state Ministries intended to serve the citizenry, yet they do exist. Such a department in the Housing Ministry, for instance, is responsible for building apartments in the Arab "sector"—a miniscule number; apartments built by the Ministry for Jewish settlements are not available to Arabs though, under law, they should be.

This is why Koenig's proposals,<sup>1</sup> while coming as a shock to Jews and supporters of Israel (Yigal Allon called the report "a miserable document" and insisted that "there is absolutely no connection whatsoever between its contents and the actual policy of our government"<sup>2</sup>) did not surprise many Arabs. For them, it came as confirmation of what most Israeli Arabs have suspected all along—that their government intends to push them off their lands and out of their country. They find evidence for this in the fact that no elected Arab council in the State of Israel can get a bank loan for development purposes because such loans require the approval and guarantee of the Ministry of Interior, of which Koenig is the representative in the Galilee.

In an article in *Al Hamishmar*, Ran Eddelist and Kassem Zayd wrote that

Arabs do not both to go to the bank (for development loans) because they know it will give them nothing. Is this official policy? No, but it just happens that the Arab local authorities do not meet the criteria set to apply equally to both Jewish and Arab administrations. Some Jewish ones do not meet the criteria either, thus justifying the fact that the Ministry of Interior approves money only for Jewish towns, not Arab ones.<sup>3</sup>

The Arabs find evidence of government support for Koenig's policies in the fact that the Ministry of Interior approves money only for Jewish towns, not Arab ones.<sup>4</sup> They find it in the fact that, in 1971–72, local authorities received grants from the Ministry totalling 1,580,000 IL of which Arab towns received only 1.1% despite the fact they account for 11% of the population under the jurisdiction of local authorities.<sup>5</sup> They find it in the fact that the Ministry gave 60,897,000 IL to help local towns pay back other debts, but that none of this money went to Arab towns.<sup>6</sup> Since Arab settlements do not receive government loans or government guarantees for private loans, the Arabs assume that the government does not want their towns to be developed and wants to keep the Arab sector perpetually depressed.

This is why Israeli Arabs cannot take Rabin seriously when he tells a meeting in the Galilee, after publication of the leaked Koenig document, that

the objective of the State is the fulfillment of the Zionist vision . . . non-Jewish citizens who accept this have the right to demand that the government enable them to have full civic equality through honoring their religious and cultural specificity.<sup>7</sup>

1. Text in *Al Hamishmar*, September 1, 1976.

2. Quoted in *The New York Times*, September 14, 1976.

3. Reprinted in *New Outlook*, January-February 1977: 60–61.

4. Ibid.

5. Ibid.

6. Ibid.

7. Ibid.

It is not because the Israeli Arabs disagree with the meaning of these remarks that they meet such statements with deep cynicism. Even *Rakah* has accepted the Jewish majority character of the Jewish State and seeks only what Rabin says they are entitled to expect as a matter of right—equality. The problem is that they feel that their government has no intention of treating them as equal citizens in practice. From the Arab Israelis' point of view, the major problem associated with their plight is that their government regards their very existence as a problem.

Ever since the military administration of Ben Gurion's rule and the talk of Judaization of the Galilee under Eshkol, Israeli government officials have spoken openly, like Koenig and Kahane, of the demographic and security problems associated with the Israeli Arab minority. In an interview given three weeks before he resigned from his post as Advisor to the Prime Minister on Arab Affairs, Shmuel Toledano pointed out that the attitudes associated with the Koenig document

are nothing unusual . . . In the ranks of those who share Koenig's perspectives, are many in the government who come in contact with the Arabs. . . . You would not believe the intense feelings of hatred that exist in this State. The gap between the Arabs and the Jews is extremely wide. There are many of us who do not see the Arabs as people like ourselves. The Arabs know very well what we think of them.<sup>8</sup>

It is not true, as Kahane claims, that Land Day was called on March 30, 1975 to challenge the Jewish character of the State; it was called to force the government to live up to its obligations toward its Arab citizens. What sparked the strike was the government's plans for the expropriation of 20,000 dunams of land to make way for what it claimed was "development of the Galilee."

This policy of expropriation of land for development purposes is not unusual to the State of Israel; all governments have such power. But if the Arabs met the latest plans for expropriation with suspicion, it was not without cause. Since 1948, millions of dunams have been confiscated from the Arab population either through the military administration (abolished in 1966) or the Ministry of Finance. Some of these expropriations entailed the use of "dirty tricks." Carmiel, for instance, the Jewish development town in the Galilee, was built on Arab lands expropriated and sold only after a promise was made to the area's Arabs that the land would be used for joint Arab-Jewish development.

This is why the government's announcement of new expropriations in March generated such intense hostility, even though, on the surface, it entailed only 6321 dunams of Arab lands out of the 20,000 scheduled for expropriation. This time, the government announced that Jewish lands (4,365 dunams) and State-owned lands (8,050) and lands without any legal claim attached (1,364) would also be utilized.<sup>9</sup> These figures were

8. *Ha'aretz*, September 17, 1976.

9. *Ha'aretz*, January 28, 1977.



paraded as proof that development would not be at the expense of the Arabs but would be jointly shared. A more critical inspection of the breakdown of the scheduled lands, however, considerably weakened the effectiveness of the plan in allaying Arab suspicions. As *Ha'aretz* reported,

almost all of the expropriation of Jewish land (4,175 out of 4,365 dunams) is around Safed and for its development. The explanation for this discrimination is simple: there is no Arab land around Safed. In contrast, the expropriation of Jewish lands in other regions is only symbolic: 55 Jewish dunams to 3,635 Arab dunams in Nazareth, 11.5 to 1,952 in Carmiel and 27 to 734 near Acre.<sup>10</sup>

Such symbolic Jewish expropriations, while intended to calm Arab fears, actually increased the suspicion that the announced development of Arab towns was essentially irrelevant to the real goal of increasing the Jewish population in the Galilee. What made the government's argument so weak in the face of these suspicions was the news that a task force of the Israel Land Authority had recommended, in February, that there was no need for the expropriation of any private lands in the Galilee for development, since there were enough State lands available for this purpose.<sup>11</sup>

This conclusion was backed up by the recommendations made by the Arab affairs staff of the Public Council for Social Welfare to the Prime Minister's office.<sup>12</sup> After an exhaustive study of the economic situation of the Israeli Arabs, they found that the planned expropriations would be injurious to the Arab sector. Like Koenig, they described the present plight of the Israeli Arabs as being a time bomb on the point of explosion. The disagreement is over the active ingredient: for Koenig, the danger was in the existence of a prosperous Arab minority; according to their report, it was an economically depressed one. Their findings indicated that previous expropriations, combined with a rising birth rate, had resulted in dangerous overcrowding in the Arab sector. They found that 48.6% of all Israelis living in conditions of three to a room were Arabs, as opposed to 9% who were Jews. Of those living fewer than 1.5 to a room, 17.6% were Arabs, 56.8% were Jews. They described Israel to be like a pressure cooker:

The external framework—quantity of land for agricultural living and development—remains the same or even shrinks as a result of large expropriations while the internal pressure—steady population growth—increases without release.

Their recommendation: cease immediately any further expropriation of Arab land.<sup>13</sup>

Is it any wonder, therefore, that Israeli Arabs see the Israeli govern-

10. *Ha'aretz*, July 30, 1976.

11. *Ibid.*

12. *Ibid.*

13. *Ibid.*

ment as working in the tradition of the Jewish National Fund to develop the Jewish sector at Arab expense and as not interested in developing the Galilee as a whole, as it claims to be doing?

Israel is going to have to decide what kind of State it wants to be. There is going to have to be a clear answer to the question of who “owns” Israel. Kahane and Koenig have given their answer: the State does not belong to its citizens, Arab or *Jewish*, it belongs to the Jewish People. There are those who pose the obverse: Israel belongs to its citizens and not to the Jewish People. They want to cut the cord to the Diaspora and call for the de-Zionization of Israel. Finally, there are those, and I count myself among them, who claim that Israel is the *State* of its citizens and the *homeland* of the Jewish People. To make this a reality, the government of Israel is going to have to act like the government of its citizens. And the Jewish People is going to have to eliminate the myriad of Zionist institutions working in Israel which advance the Jews while excluding the Arabs. In short, there must be a de-institutionalization of Zionism in Israel.

What this means is that those institutions that built the *yishuv* completed their task with the creation of the State of Israel. They must be removed, and the Zionists around the world who support them will finally have to recognize the existence of the State of Israel. What was good for the *yishuv* is bad for the sovereign State of Israel. The task of Zionism is no longer to build the Jewish State but to continue to rebuild the Jewish People. The major problem for Zionism is no longer to put the Jewish People into Israel, but to put the Jews of Israel back into the Jewish People. (I say “Jews of Israel” where others might use State of Israel because what connects Israel and the Diaspora is not citizenship but membership in the Jewish People. As a State, Israel belongs to its citizens, Arab and Jewish; as a Land and as a self-determining Jewish community, it belongs to the Jewish People.) Shorn of its links to the Israeli government and party structure, the World Zionist Organization should go on to fulfill the second major achievement of Zionism—the reunification of world Jewry as a polity. Such a WZO could be a real World Jewish Congress where the interest of the different components of world Jewry could be represented and balanced against each other in the formulation of policy for the Jewish People as a whole.

But this, by itself, will not remove the dangers posed by the existence of an Arab minority in Israel, for the problem is more complex than a simple civil rights issue. A minority in Israel, the Arabs are also part of the dominant majority of the region with which Israel is at war. Kahane is right when he says that those who think that the full integration of Israeli Arabs into Israeli life would alone eliminate the security problem associated with the Arab minority are deluding themselves. Without a solution to the Arab-Israeli conflict, the Arabs will always be a potential security risk, and the door to full participation in Israeli life will remain only half open, thus intensifying any enmity towards the State.

Likewise, without a solution to the external Palestinian problem, there can be no real solution to the internal one. The Arabs of Israel are, after all, part of the Palestinian people, cut off from the mainstream of the life of their people by the events of 1947–48. The most nationalistic are those who have benefitted from the State of Israel, the educated ones. Their situation is essentially schizophrenic—they find themselves between the rock of their identity as Palestinians and the hammer of their identity cards as Israelis; between nationalism and the Israeli security forces. Were a Palestinian state established and a program of equal development instituted in Israel, much of this schizophrenia would be cured. Israeli Arabs could feel both an integral part of the *State* of Israel and, at the same time, a part of the Palestinian people which has a *homeland* of its own.

There may be some Palestinians who will not be satisfied by this and will continue to seek political reunification with a Palestinian state, but the appeal of such a position will depend, to a large extent, on the relations between such a state and Israel. The original partition plan, for instance, spoke of economic unification along with political bifurcation. The creation of a Palestinian state would make such economic union feasible. In addition, Arik Sharon has spoken of a situation where Israeli Arabs could choose to be either citizens of Israel, with all the rights and privileges of Jews in the State of Israel (including military service), or remain as residents in the country as citizens of a Palestinian state.

There are also 80,000 Jews like that here now with foreign citizenship that are not entitled to vote or serve in the Knesset. Those Palestinians who choose could be citizens of another country and it is only natural that they be citizens of a Palestinian state, because they are Palestinians,

he told an interviewer.<sup>14</sup> Arie Eliav has written that “were peace to come, perhaps the representatives of the Palestinian Arabs in Israel could sit in the Knesset in proportion to their relative percentage in the population.”<sup>15</sup> But this means looking at the Palestinian question in a way different from current Israeli policy. Both Sharon and Eliav agree that the key to the plight of the Israeli Arabs is in a solution with the Palestinians. As Sharon says, “theoretically, Israel can reach a settlement with all the Arabs states but if she does not solve the Palestinian problem, the situation will return after a short while to the present crisis.”<sup>16</sup> But Eliav and Sharon disagree on the borders of a Palestinian State. Eliav seeks the return of the West Bank and the Gaza Strip to Palestinian control either in the form of an independent Palestinian State or, if they so choose, as part of a federation with Jordan. Sharon advocates a Palestinian state in Jordan and calls for the retention of the West Bank and Gaza under Israeli sovereignty.

14. Interview in *Ma'ariv*, March 25, 1977.

15. Arie Eliav, *Sulam Israel: HaHalom U'Shivro* (Tel Aviv: Zimora, Bitan and Modan, 1976).

16. *Ma'ariv*, March 25, 1977.

More importantly, however, both agree that the current foreign policy of Israel is unworkable. Present government policy regards the conflict as being over territory, not a conflict of two nationalisms, and seeks a territorial solution with Jordan, leaving the issue of Palestinian self-determination to be solved or ignored by King Hussein.

I do not believe that this is a wise—or realistic—thing to do. While the Palestinian problem is an Arab problem—the Arab states hold responsibility for the refugees' status—it is in Israel's interest to solve it directly with the Palestinians and not wait for the Arabs. Experience has shown that the Arabs will use the Palestinians as a dagger against the heart of Israel, and it is, therefore, in Israel's interest to take the dagger away from them. This is why I support negotiations with any Palestinian group which is willing to recognize and accept the sovereignty of the State of Israel.

According to Meir Kahane and Yisrael Koenig, Israel is, by definition, a Jewish State; Zionism is, therefore, racist; the Arabs cannot and should not be integrated into the mainstream of Jewish life; peace is impossible. I believe that Israel is a state of its citizens, that Zionism is not racist, that the Arabs can, and must, be integrated into the national life of the country and that Israel with its Jewish majority belongs in the Middle East; that peace is possible. To accept the present situation of protracted conflict as "normal," is, in the final analysis, to accept the Arab argument that Israel does not belong in the Middle East. It was a vision of peace that motivated the strenuous labors which built a Jewish State. Meir Kahane and the Arabs both would like us to forget this vision.

# *The Arabs of Israel: A Test of Jewishness*

BEN HALPERN

ANY PURPORTED DEMONSTRATION THAT Zionist policy is rationally impossible must certainly be taken seriously by a secular Zionist. Secular Zionism is, after all, precisely an attempt to solve the Jewish problem rationally.

We all know that any policy, no matter how rationally constructed, rests on ultimate value commitments as its basic assumptions. Without agreement on values, or at least explicit statements and agreed definitions of opposed value assumptions, rational discussion can never be open and honest, if possible at all. Let me begin, therefore, by stating certain values.

I will not undertake in this journal to state a position on behalf of normative Judaism in regard to the problem of the Arabs in Israel. My own views are not bound by halakhah or credal principles. But I am bound by the historic experience of Jewishness and the values that it seems to me to bear; I think this is no idiosyncrasy, but a shared value common to the whole community served by JUDAISM.

In any case, it seems to me that if we really remember that we were "strangers in the land of Egypt," we have to regard the condition of the "strangers in our midst" in Israel as no less than a cardinal test of our Jewishness. Zionism is a reaction against the injustice and humiliation that Jews suffered in so many lands and it therefore seeks the normal condition of sovereign freedom essential to all nations. But normality for a Jew implies Jewish norms. The sheer compulsions of survival might possibly force us, as Rabbi Kahane indeed argues, to demand that the Arabs in Israel become virtual proselytes or submissive Gibeonites, or else emigrate. But, if we had to reproduce in our home the pressures to be submerged or to depart that were visited upon us in some of the less happy situations of our Exile, then it would mean that we had given up as Jews.

Whatever else may be said of current Israeli policy towards the Arabs, which, as Rabbi Kahane complains, seeks neither to assimilate nor to drive them out, it faithfully reflects the experience of modern Jews. The recent history that produced and nourished Zionism instilled a horror of anti-minority policy, and it created a commitment to the protection of minorities and the preservation of their culture. Moreover, such an approach conforms not only to modern Jewish values, but, also, to the demands and constraints of the situation of Israel today. Compelling

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realities, not only values, impel Israel neither to assimilate nor to eject its Arab minority but to live in pluralist relations with it.

A major institutional constraint upon the policies of the Arab states and Israel alike is the fact that in both cases modern “national liberation” movements created states in direct, if dialectical, relation with a religious tradition. The Arabs are bound by certain structural features of the traditional Islamic relation to unbelievers, no less than Israel is by similar structural features of the traditional Jewish relation to Gentiles. With so many Arabs and Jews who reside outside of Israel and yet are deeply involved in its problems, the Jewish-Arab relationship within Israel is profoundly affected by their respective religious traditions.

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In principle, Islam can have no other relation to infidels beyond its borders than a state of war. “Peace” with neighboring unbelievers is justifiable in traditional Islamic terms only in the form of a ten-year truce. Within its own domain, Islam, as a matter of principle, protects Jews, Christians, and other “people of the book” in the autonomous practice of their religion, but it subjects them to payment of tribute and a restricted, subordinate legal position.

This is the accepted doctrine, but the reality is somewhat different. Neither “holy war” outside nor tolerance within are invariable and inalterable. Islamic rulers have persecuted and expelled infidels just as Christians have. They have also maintained normal peaceful relations with foreign, infidel states no less permanently than have Christians with each other, even though Muslim traditionalists might prefer to interpret the situation theoretically as one of “truce.” What is more, Muslims have peacefully put up over long periods with the loss of earlier conquests, as in Spain, and submitted patiently to rule by infidels in overwhelmingly Islamic territories, like North Africa, and areas of East, West, and Central Asia.

Such tacit acceptance of situations that are opposed to traditional doctrine is in harmony with the general tendency in Islam (in a manner common to all of the religions, but in a peculiarly accentuated form) to respect power and to come to terms with conditions that are dictated by force. Yet, adjustment to political realities has not destroyed the sense of entitlement to power and dominance in Islam or among the Arabs. Neither colonial nor imperial subjection eliminated the sense of their own appropriate position of superiority and the expectation that unbelievers should submit to a subordinate position. The rising influence of modern nationalism and social radicalism, although inherently anti-traditional, has served, on the whole, to revive and invigorate the Islamic power drive, in its traditional as well as its transformed shape. Under the impact of modern ideologies, moreover, traditionalist Islamic tolerance was super-



seded by a xenophobia that ended in the mass expulsion of outsiders in newly liberated countries.

The so-called Middle East conflict, in which the Arab world is arrayed against Israel, is a salient example of the aroused instinct for Islamic predominance evoked by a superficially nationalistic, social clash of interest—as are also, for that matter, the current struggles in Cyprus and Lebanon. The intrusion into the Islamic domain of sovereign Jews, when they, of all the subordinated infidels, were traditionally typecast as the lowliest and most submissive, was no less than traumatic for the self-image of proud Arabs.

Nothing but the steady demonstration of sufficient, available force can bring the Muslim Arabs to submit to the fact—no longer questionable—of Jewish sovereignty. Only the sustained readiness of Israel for self-defense could maintain Arab acquiescence in the sovereign existence of the Jewish state even after it should have been acknowledged in formal compacts. But it is willful blindness, with no rational purpose, to assume that Islamic fanaticism alone determines Arab policy, when Israeli strength is every day demonstrating its effect among the policy-makers of the Arab states and of the Arabs in Israel.

Acceptance of Israel as a reality, always reluctant and dependent on the perception of its deterrent strength, makes its way by different (and often opposed) routes among Arabs in Israel proper and those beyond its borders, whether in hostile states or under occupation. Israeli Arabs had gone far in accepting their future as Israeli citizens before the Six Day War brought them into contact with Palestinian Arabs who were not yet reconciled to Israel's existence. The result has unquestionably been a rise in nationalist hostility to Israel, especially among younger, educated Israeli Arabs, leading some to become active enemies.

But events since 1967, even since the blow to Israel's military prestige in the first days of the Yom Kippur War, have continually driven other Arabs to a grudging concession that Israel is here to stay, and no presently conceivable Arab combination could liquidate it by force. The current Arab objective has perforce been defined as a political agreement, to be achieved by a peace offensive. The very success of such an offensive would produce two conditions crucial for the future self-image of the Israeli Arabs: a more general, formal, recognition of Israel by Arab states and Palestinian Arabs than heretofore, and a new border separating the Israeli from the Palestinian Arabs.

At this writing, it is impossible to know whether there will be a "peace agreement" or war, a "nonbelligerency" or "end-of-war" agreement, or, simply, an uncertain extension of the truce. The differences, short of war, may not be as decisive as might appear. Even a full peace accord, with open frontiers, trade and diplomatic relations, would not in itself eliminate basic antagonisms or permit Israel to dispense with its deterrent power. But it would formalize the principle of Israeli-Arab coexistence as

an acceptable idea in the Arab world, one that would be rendered daily more concrete by the trade and contact that Israel seeks.

Even the present Arab peace offensive makes the notion of coexistence familiar and, thus, tacitly more acceptable. So long as the momentum continues toward peace, even at this slow and halting pace, Israeli Arabs know that they face a future of severance from any Palestinian entity that may arise. Few today have become so dissociated from Israel that they would then choose (if permitted) to join the Palestinians whose cause they may now espouse. To be willingly left out of any Palestinian Ingathering means that, in most cases, they would regard integration as Israelis, not emigration, as their solution.

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Not only does Islam impose difficulties and latent limits for such a solution; the same may be said for Judaism. I refer not to pertinent halakhic norms or proof texts but to the historic fact, basic to the constitution of Jewish life, that Judaism did not conquer many nations, like its daughter-religions Christianity and Islam. The Jews alone were won and kept for Judaism. All of Jewish history has been, therefore, a continual struggle of a small people to withstand the pressures of overwhelmingly larger ones. Out of this struggle has emerged a deeprooted, basically defensive tendency for Jews to take care of their own and withdraw from others, making no claims on them and leaving them to care for themselves.

Traditional Jewish isolationism found its most suitable milieu in the ghetto and cannot be fully sustained, of course, in either the free, democratic Diaspora countries or in sovereign Israel. But it was a delusion of assimilationists, shared by such ultra-Zionists (or post-Zionists) as the Canaanites, to suppose that it could be fully discarded. A basic defensiveness and separatism remains the dominant instinct of a still small, still endangered people. The coexistence of Israel and the Diaspora is a constant reminder to each that in neither has the Jewish fate ceased to be precarious. Defensiveness is still, for the foreseeable future, the necessary Jewish posture.

Rabbi Kahane, in his own way, shares the empty, vainglorious confidence of the Canaanites in the omnipotence of fantasy—and, like them, he entertains singularly unattractive fantasies. Both combine a facade of belligerent bravado with a latent, fundamental, Jewish defeatism. The Canaanites thought that they need only drop the name of Jew to rid themselves of the burdens of Jewishness and go on to the painless conquest of the whole Semitic East: they stooped to conquer. Rabbi Kahane's blustering militancy covers a kinship with the Neturei Karta, for his willingness to let Israel take any risks in the name of uncalculated militancy rests on a tacit willingness to reinstate the conditions of unrelieved Exile.

The defeatism is well-hidden, to be sure, under an astonishing superficial confidence. Rabbi Kahane wants us to believe that, given the sole alternative of leaving Israel, some Arabs would sincerely submit to a Judaism that could not really include them, and that he could secure both the acquiescence of the Arab states and the support of the outside world for such an arrangement. In fact, the Jewishness of Israel can neither be discarded, as the Canaanites fancied, nor can its dominion encompass the Israeli Arabs, as Rabbi Kahane proposes—especially not when the Israeli Jews and Arabs remain bound to Jews and Arabs beyond Israel's borders by indissoluble ties.

It would be an ill-service to both sides, and to the world, if the differences in beliefs, habits, and group loyalties between Jews and Arabs were wiped out—either by a PLO-dominated “secular Palestinian” state or a monolithic 100% Jewish Israel, whether Canaanite or Kahaneite. A decent human existence for people of disparate traditions is possible only if they live in balanced tension and not in repressive uniformity.

Sovereignty in Israel, even more than freedom in America, requires that Jews moderate and revise isolationist traditions of the past. The more securely and peacefully the liberation of the Jews is vested in institutional forms, the more open to Israeli Arabs their institutions and society will be, and must be. Characteristic instruments by which Jews were brought in, employed, and “absorbed” in the Jewish National Home—the Histadrut, the party system—have increasingly opened up to Arabs already. If there were peace, or a closer approach to it, the process would inevitably be extended to other areas, military as well as civil. Whoever helps strengthen Israel today promotes that process.

Israel is already an identity shared by Jew and Arab and, in certain respects, neutral to both; and whoever loves peace must hope that the common area will grow. Such an area would also be largely neutral to the religions of Judaism, Islam, and Christianity, which divide the Israelis. But whoever hopes to impose uniformity and wash out those divisions along lines of religious or national tradition is no friend of either peace or human welfare. Nor is his voice the voice of Jacob.

# *Free-Will, Guilt and Self-Control in Rabbinic Judaism and Contemporary Psychology\**

SOLOMON SCHIMMEL

THE TALMUD REPORTS A REMARKABLE EPISODE:

Rab Judah said in Rab's name: A man once conceived a passion for a certain woman, and his heart was consumed by his burning desire (his life being endangered thereby). When the doctors were consulted, they said, "His only cure is that she shall submit." Thereupon the Sages said: "Let him die rather than that she should yield." Then (said the doctors), "Let her stand nude before him." (They answered) "sooner let him die." "Then," said the doctors, "let her converse with him from behind a fence." "Let him die," the Sages replied, "rather than she should converse with him from behind a fence." . . . Why such severity? . . . R. Aha the son of R. Ika said: That the daughters of Israel may not be immorally dissolute. Then why not marry her?—Marriage would not assuage his passion . . . as it is written, "Stolen waters are sweet, and bread eaten in secret is pleasant."<sup>1</sup>

It seems that the sages of Babylon anticipated—and unequivocally rejected—some of the extreme versions of value-free psychotherapy. Here was a man who was not merely suffering from neurotic—or even psychotic—symptoms. Rather, his physical existence was in peril. Normally, Jewish law is very deferential to medical opinion; it is up to the doctor or the patient himself and not the rabbi to decide when the patient's life is in danger. Yet the Rabbis drew the line where public morality was endangered.

True to Talmudic style, the story is brief and leaves many questions unanswered, allowing room for interpretation. Although a literal analysis suggests that the medical prognosis was not questioned, perhaps the Rabbis really did entertain some doubts about the expertise of the physicians in diagnosing and prognosing diseases with a psychological etiology. One almost senses a tongue-in-cheek tone in the story.

Or, perhaps, the Rabbis felt that the patient was not really "sick" in the sense of being at the mercy of internal or external factors that were

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1. B. *Sanhedrin* 75a.

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beyond his control. If he really wanted to recover, all he had to do was to subjugate his passion.

Another way of construing the episode is that the Rabbis had good reason to be dubious about the doctor's *own* commitment to morality. After all, if the woman's speaking to the patient from behind a fence could have effected a cure, why didn't the doctors prescribe that less offensive medicine in the first place?

In the story, the Rabbis refused to compel the desired woman to demean herself for the sake of the patient's life. No doubt they would not have allowed her to submit voluntarily either, out of humanitarian concern for his well-being. They surely would have objected to one of the more recent methods of treatment of sexual dysfunction—the use of surrogate partners. Better to lead a less fulfilling sex life than to engage in immoral behavior—even with your spouse's consent.

What finally did happen to our lust-sick patient? Did he succumb to lust and die? Or maybe once he realized that, doctor's permission or no, his *rabbi* would not allow him to indulge his passion, so he found a way to recover.

Unfortunately, the Rabbis do not tell us. Whether it ended happily or not, the Talmudic story, with its gaps, raises three issues to which this paper addresses itself.

First, what are some of the primary areas of overlap between modern psychology-psychiatry and the Judaic tradition?

Second, in these areas of mutual interest, what are some of the major points of consensus and the major points of conflict?

Third, does psychology have anything to learn from the religious-ethical traditions of Judaism that may be of relevance and utility to the practicing psychiatrist, psychologist or other mental health professional?

Traditional Judaism and psychology share at least three areas of common interest. Both demand of the individual that he engage in a self-analysis of why he thinks, feels and behaves as he does. A major, though not exclusive, goal of all psychodynamically oriented therapies is insight, which was always an objective of the numerous medieval Jewish ethico-religious-moralistic treatises. One of the most widely studied was, and still is, Moshe Haim Luzzatto's *Path of the Just*.

In this work Luzzatto states:

To summarize, a man should observe all of his actions and watch over all of his ways so as not to leave himself with a bad habit or a bad trait, let alone a sin or a crime. I see a need for a person to carefully examine his ways and to weigh them daily in the manner of the great merchants who constantly evaluate all of their undertakings so that they do not miscarry. He should set aside definite times and hours for this weighing so that it is not a fortuitous matter, but one which is conducted with the greatest regularity; for it yields rich returns.<sup>2</sup>

2. Moshe Haim Luzzatto, *The Path of the Just* (Jerusalem: Feldheim, 1966), p. 37.

In another section of this work, Luzzatto describes and analyzes each of the personality dispositions and behavioral patterns that are subsumed under the terms *pride*, *anger*, *envy* and *desire for honor* and recommends that the reader reflect upon himself in the light of these analyses.<sup>3</sup>

Second, both psychology and Judaism seek to induce changes in thought, feeling and behavior. Although they both consider self-understanding to be a useful tool for effecting desired change, they employ other techniques as well. For example, the *Book of the Pious*, a religious-ethical tract of 12th century medieval Germany, tells of an individual who was prone to violent temper tantrums which brought others and himself to great distress. After consulting a sage for advice, the method of treatment that he adopted was to make a solemn vow to donate a predetermined and substantial sum of money to charity for each future irresponsible outburst of anger.<sup>4</sup> Similarly, contemporary behaviorist oriented therapists have developed the technique of *behavioral contracting*, in which the patient commits himself in a legally binding and irrevocable way to some self-chosen penalty in the event that he engages in his undesirable behavior or fails to perform a desirable one.

Third, both psychology and Judaism make generalizations and formulate theories regarding the general nature of man and the determinants of human behavior. One of the most comprehensive and reasoned of these in Judaism is Maimonides' synthesis of Aristotelean and Judaic psychologies of man, in his ethical-psychological treatise, the *Eight Chapters*, and in his "Laws of Ethical Behavior" and "Laws of Repentance," in his magnum opus, the *Mishneh Torah*. He points out, for example, that there are innate constitutional differences in certain dispositions of temperament<sup>5</sup> and that there is a *natural tendency* in man to be influenced in the direction of social conformity.<sup>6</sup> Contemporary psychology is, of course, *primarily* interested in this endeavor to comprehend the nature of man, using scientific methodologies to do so.

So much for the commonalities. Where do Judaism and modern psychology differ? It is important at this point to indicate that neither Judaism nor contemporary psychology-psychiatry is a monolithic system. There are rational, pietistic, mystical, hasidic and other variants of what is broadly referred to as "traditional" or Rabbinic Judaism. Psychology-psychiatry is even more splintered. For the sake of convenience, psychologists often speak of three main orientations in psychology, *psychoanalytic*, *behaviorist*, and *other*, which comprises everything else that does not fit the first two. Notwithstanding the intra-Judaic and intra-psychological differences, there is a constellation of concepts and attitudes common to all variants of Rabbinic Judaism that contrasts sharply with both the

3. Ibid., Chap. 11.

4. Judah the Pious, *Sefer Hasidim* (Jerusalem: 1957), No. 656.

5. Moses Maimonides, *Mishneh Torah, Sefer Mada, Hilkhot De'ot*, Chap. 1, par. 2.

6. Ibid., Chap. 6 par. 1.

psychoanalytic and behaviorist psychologies as well as with some, though not all, of the systems in *third-force* psychology, a label sometimes used for the category referred to above as *other*.

Rabbinic Judaism pays much more attention than does psychology to the specification of norms and standards for behavior. Furthermore, it evaluates behavior in terms of values which it construes to be derived from a divine revelation, embodied in the Written and the Oral Law. Thus, there is relatively little ambiguity for the traditional Jew regarding what conduct is considered right and what is considered wrong. Jewish law spells out in great detail the manner in which I am expected to behave towards my parents, my spouse, my children, my teachers, my students, my employers and employees, my neighbors and strangers. Moreover, the most influential codes of Jewish law were written for the layman no less than for the scholar. Maimonides devotes five paragraphs to specifying the different forms of tale-bearing and slander that are prohibited according to Jewish law.<sup>7</sup> An entire guide book has been written—for the non-scholar—on this single inter-personal injury, in which a variety of concrete situations are described and evaluated.<sup>8</sup> The same is true for many of the ethical and moral demands of Judaism. It is each Jew's responsibility to study these laws, since how can there be proper observance in the absence of knowledge?

A Jewish individual confronted by others, or, in a period of introspection, confronting himself, with the fact that he was the cause of another human being's pain or suffering could not easily exonerate himself by pleading ignorance of the ethical command or by rationalizing his misbehavior by appeal to the uniqueness of the circumstances at the time when it occurred.

Modern psychology, on the other hand, has generally tried to steer clear of espousing specific values. When it has set up standards it is usually in terms of relatively vague notions such as "personal adjustment," "mental health," "self-actualization," "growth" or the "cultural survival value of a behavior."

More recently, practitioners of psychotherapy and other forms of psychological and psychiatric counseling and treatment have come to realize that, in many cases, a serious encounter with their own and their patients' values cannot be and, indeed, is not, avoided, because the therapeutic needs of the patient and the integrity needs of the therapist demand an honest and explicit consideration of what is morally right and wrong.<sup>9</sup> There is a growing recognition among practitioners that, too often, insight is not enough. Anxiety, depression and other symptoms are often related to difficult and earnest moral conflicts which require a

7. Ibid, Chap. 7, pars. 1-5.

8. Israel Meir HaCohen, *Hofetz Haim* (Warsaw, 1891).

9. Perry London, *The Modes and Morals of Psychotherapy* (New York: Holt, Rinehart and Winston, 1964), pp. 3-15.



concrete resolution.<sup>10</sup> Should I sacrifice my family for the sake of my career? Should I betray my wife for the sake of emotional fulfillment through another woman? To what extent should I pressure my child to accept my religious or cultural values? Mental health and spiritual health are often linked to each other.

This is not to suggest that psychiatrists and psychologists—even Jewish ones—should study Maimonides or the *Shulhan Arukh* before each therapeutic session (although it might not do them any harm). What I am suggesting is that, in accordance with Judaic tradition, they must face up to, and reflect upon, questions of ethics and values if they are to fulfill their professional responsibilities responsibly.

Another difference between Rabbinic Judaism and modern psychologies is in their respective theories of man. Rabbinic Judaism, following the Biblical view, adopts the “image of God” theory, whereas psychology subscribes to the “highest of the animals” theory. One of the major derivatives of the image of God Theory is the doctrine of man’s free-will.

Maimonides, in his *Laws of Repentance*, states as follows:

Free Will is bestowed on every human being. If one desires to turn towards the good way and be righteous, he has the power to do so. If one wishes to turn towards the evil way and be wicked, he is at liberty to do so. And thus is it written in the Torah, “Behold, the man is become as one of us, to know good and evil” (Gen. 3:22)—which means that the human species had become unique in the world—there being no other species like it in the following respect, namely, that man, of himself and by the exercise of his own intelligence and reason, knows what is good and what is evil, and there is none who can prevent him from doing that which is good or that which is evil . . . . There is no one that coerces him or decrees what he is to do, or draws him to either of the two ways; but every person turns to the way which he desires, spontaneously and of his own volition . . . . Accordingly it follows that it is the sinner who has inflicted injury on himself; and he should therefore weep for, and bewail what he has done to his soul—how he has mistreated it.<sup>11</sup>

In these and other passages Maimonides is defending the doctrine of free-will against the philosophical doctrine of divinely or astrally ordained pre-destination. He does not address himself to the doctrine of biological and environmental determinism. However, it would appear that this doctrine of free-will is in open conflict with the strict determinism of both psychoanalysis and behaviorism. It is interesting that even Mordecai Kaplan, who rejects all aspects of Judaic supernatural theology, still considers it necessary to espouse the doctrine of free-will for the sake of establishing moral responsibility.<sup>12</sup>

10. Ibid., pp. 8-9.

11. *Mishneh Torah, Sefer Mada, Hilkhoh T'shuvah*, Chap. 5, pars. 1, 2.

12. Mordecai M. Kaplan. *The Greater Judaism in the Making* (New York: Reconstructionist Press, 1960), pp. 495-498.

In contrast to the Maimonidean position, psychoanalysis and behaviorism have tended to adopt some or all of the following positions:

1. Ethical and cultural relativism, or the view that good and evil are simply that which any given society approves of or condemns—and this varies from society to society.

2. Man's reason as a tool for determining right and wrong is subject to great distortion by irrational forces of which he is not conscious, and which frequently originate from early life experiences

3. Even when man's reason is not distorted by unconscious forces, it still exercises relatively little control over his behavior. Rewards and punishments are more effective.

4. Man's thoughts, feelings and behavior are completely determined by his biological heritage and by environmental influences over which he has little control.

5. The emotions of guilt, shame and remorse are irrational in origin and are not conducive to psychological health and growth.

With respect to the last point, Phillip Reiff puts it succinctly. Where he speaks of Christian we can insert the word Judaic.

That guilt about which Freud writes is above all the *sense* of guilt, a psychological not a moral fact . . . In the Christian psychology what is supposed to have been repressed, causing bad conscience, is one's higher nature—the moral sense. In the Freudian psychology what was repressed, causing a sense of guilt, is one's lower nature—the instinctual desires. Thus, in Christianity the sense of guilt is characteristically a sign of augmented moral delicacy; in Freudian psychology the sense of guilt is a source of private illness.<sup>13</sup>

Now, in truth, it must be said that some medieval and 19th century Jewish and, even more so, Christian, religious writings on sin and guilt depict men as being in a state of extreme depravity and, therefore, espouse self-denigration and punitive asceticism that go beyond the bounds of simple common sense and of the Talmudic-Midrashic view of man. It is to these least sophisticated aspects of religion that the psychoanalytic and behaviorist critiques address themselves. Freud simply dismissed all of rational theology as the rationalization of primitive, irrational motives.<sup>14</sup> B.F. Skinner, though less vitriolic than Freud, addresses his critique largely to the ways in which religious institutions, such as the church, use psychological techniques of fear and punishment in order to control the behavior of believers.<sup>15</sup> The validity of belief systems themselves is ignored. Furthermore, even within the restricted scope of religion which they choose to analyze, its emotional side and its methods of behavioral control, their analyses, particularly Freud's, are far from

13. Phillip Reiff, *The Mind of the Moralist* (New York: Viking, 1959), p. 277.

14. *Ibid.*, pp. 263-270.

15. B.F. Skinner, *Science and Human Behavior* (New York: Free Press, 1953), pp. 350-358.

balanced. They ignore or inadequately appreciate certain aspects of religious belief and behavior that actually contribute to, or have the potential to contribute to, the general humanistic goals to which they both aspire.

Let us look more closely at the implications of the Judaic concept of free-will and at the consistency—or, rather, the lack of consistency—with which it is maintained. We will then look at some formulations of modern psychology and psychiatry that implicitly or explicitly utilize traditional religious concepts but wrap them in a secular, non-theological garb.

Maimonides stated that since man has free-will he is responsible for his actions. This view has important psychotherapeutic implications. If an individual violates the trust of his fellow man or if he injures him, then the onus of responsibility is placed squarely on his own shoulders. In the *Laws of Repentance*, Maimonides states:

Since every human being, as we have explained, has free will, a man should strive to repent, make verbal confession of his sins and renounce them, so that he may die penitent and thus be worthy of life in the world to come . . . Do not say that one need only repent of sinful deeds such as fornication, robbery and theft. Just as a man needs to repent of these sins involving acts, so he needs to investigate and repent of any evil dispositions that he may have, such as hot temper, hatred, jealousy, quarreling, scoffing, eager pursuit of wealth or honours, greediness in eating, and so on. Of all these faults one should repent. They are graver than sinful acts; for, when one is addicted to them it is difficult to give them up. And thus it is said, "Let the wicked forsake his *way* and the man of iniquity his *thoughts*" (Is. 55:7)<sup>16</sup> . . . But transgressions against one's fellow-men, as for instance, if one wounds, curses or robs his neighbour or commits similar wrongs, are never pardoned till the injured party has received the compensation due to him and has also been appeased. Even though he has made the compensation, the wrongdoer must also appease the one he has injured and ask his forgiveness. Even if a person only annoyed another in words, he has to pacify the latter and entreat him till he has obtained his forgiveness.<sup>17</sup>

Contrasting with these Maimonidean views on the locus of responsibility for misbehavior is a stanza from Anna Russell's "Psychiatric Folk Song:"

At three I had a feeling of  
 Ambivalence toward my brothers,  
 And so it follows naturally  
 I poisoned all my lovers.  
 But now I'm happy; I have learned  
 The lesson this has taught;  
 That everything I do that's wrong  
 Is someone else's fault.<sup>18</sup>

16. Chap. 7, pars. 1, 3.

17. Chap. 2, par. 9.

18. Cited in O.H. Mowrer, "Sin, the Lesser of Two Evils," *American Psychologist*, 15 (1960): 301-304.

The title, "Psychiatric Folk Song", is an unwarranted generalization, but the song does reflect some psychoanalytically-based therapies.

Although Maimonides and most other Jewish philosophers vigorously defend the doctrine of free-will—and what they consider to be its implications for moral accountability and repentance—in practical terms the doctrine is never carried to its logical conclusions and is considerably circumscribed in several ways.

First, Talmudic and all subsequent Jewish law recognizes the defense of legal insanity, both permanent and episodic, and the law exonerates the *shoteh* from all legal and moral culpability for his actions.<sup>19</sup> Presumably, these mentally unbalanced individuals do not have free-will.

Second, the weighty influence of hereditary factors in some personality dispositions is recognized by Maimonides, who finds it necessary to defend free-will in the face of this observation. He maintains that though hereditary factors may pre-dispose an individual to committing certain sins, all humans are still endowed with the freedom to rise above such pre-dispositions. In a frustrating encounter, the mercurial individual will have to generate a greater degree of volition to control his anger than would the phlegmatic one.<sup>20</sup> The exercise of free-will is not demanded equally of all persons.

Third, since free-will is contingent upon intellectual ability—powers of reason and discernment—it varies as these do.

Fourth, as already indicated, Maimonides recognizes the compelling influence of one's social environment.<sup>21</sup> Such an admission reduces the scope of freedom.

Fifth, education is at the core of Judaism, and rewards and punishments, social and physical, were used extensively in educational institutions and in the home. Obviously, the expectation was that the desire for reward and the fear of punishment would influence the child's behavior in the desired direction.<sup>22</sup> But, rather than cultivating and encouraging the exercise of free-will as some internal operating force, these techniques tend to pre-empt freedom by substituting determinants of behavior whose locus is the social environment rather than the individual's will or reason. One may, perhaps, try to argue that punishment or reward force the child into using his freedom—but the invocation of free-will as an explanatory factor in such instances seems to be gratuitous.

Thus, although Judaism uses the *language* of free-will, it very wisely

19. *Encyclopedia Judaica* (Jerusalem: Keter Publishing, 1972). Vol. 3, p. 989; Vol. 11, p. 184; Vol. 15, p. 1273.

20. Moses Maimonides, *The Eight Chapters* (New York: Columbia University Press, 1912), Chap. 8.

21. *Hilkhot De'ot*, Chap. 1, par. 2.

22. See, for example, sources cited S. Asaf, *Mekorot Letoldot Hahinukh Beyisroel*, (Tel-Aviv: Dvir, 1954), Vol. I, p. 301 and Vol. II, p. 249 under "punishments" (*on'shet*). See, also, Isadore Twersky, *A Maimonides Reader* (New York: Behrman House, Inc., 1972) pp. 404-405.

refrains from applying its philosophical formulation to all of the situations in which it desires to regulate behavior.

There can be no doubt that the concept of free-will does serve the very useful function of giving the individual the feeling that he is responsible for his actions and can play a role in modifying them. The philosophical concept of free-will was, in effect, translated into the psychological concept of self-control. What can *I* do to *myself* to effect change in myself? How can *I* modify or radically change *my* environment so that it will have a lesser or a greater role in affecting me? How can *I* think or feel about my experiences in ways that will regulate their impact on me? How can *my* reflecting upon my past and interpreting it in certain ways influence my present and future behavior? It is particularly in this area of *self-control* that Judaism has much to offer to contemporary theoretical and practical psychology and psychiatry.

Just as Judaism speaks philosophically of free-will but circumscribes the application of the concept, the converse is evident in much of psychology, which espouses philosophically the doctrine of determinism but then introduces concepts of ego strength or self-control. For example, Skinner is a strict determinist. Yet, one of the most insightful analyses of the processes of self-control is to be found in his *Science and Human Behavior*.<sup>23</sup> Contemporary psychological concepts such as ego strength, reality therapy, rational-emotive control of behavior, cognitive control of behavior, phenomenological freedom, internal locus of control, capacity to delay gratification, and others can all be seen as attempts to re-introduce into psychology and psychotherapy traditional religious concerns with self-control and acceptance of responsibility for one's behavior, but within a basically secular, naturalistic framework.

Freud, as has been noted, is basically hostile to the emotion of guilt. On the other hand, an outstanding educational and personality psychologist, David Ausubel, cogently argues in defense of the inculcation of a capacity for guilt as necessary and, indeed, natural and inevitable for any society that wishes to survive.<sup>24</sup>

O. Hobart Mowrer, a former president of the American Psychological Association, has been one of the most articulate exponents of a return to the concepts of sin, guilt and individual responsibility—albeit from a non-theological stance. He is particularly interesting in this respect because he has been one of experimental psychology's foremost behaviorist theorists and researchers whose early work has had a major impact on the field. He writes as follows:

In reconsidering the possibility that sin must, after all, be taken seriously, many psychologists seem perplexed as to what attitude one should

23. Chap. 15.

24. David Ausubel, "Relationships Between Shame and Guilt in the Socializing Process," *Psychological Review*, 62, (1955): 378 ff.

take toward the sinner. "Nonjudgmental," "nonpunitive," "nondirective," "warm," "accepting," "ethically neutral": these words have been so very generally used to form the supposedly proper therapeutic imago that reintroduction of the concept of sin throws us badly off balance. Our attitudes, as would-be therapists or helping persons, toward the neurotic (sinner) are apparently less important than his attitude toward himself; and, as we know, it is usually—in the most general sense—a rejecting one. Therefore, we have reasoned, the way to get the neurotic to accept and love himself is for us to love and accept him, an inference which flows equally from the Freudian assumption that the patient is not really guilty or sinful but only fancies himself so, and from the view of Rogers that we are all inherently good and are corrupted by our experiences with the external, everyday world.

But what is here generally overlooked, it seems, is that recovery (constructive change, redemption) is most assuredly attained, not by helping a person reject and rise above his sins, but by helping him *accept them*. This is the paradox which we have not at all understood and which is the very crux of the problem. Just so long as a person lives under the shadow of real, unacknowledged, and unexpiated guilt, he *cannot* (if he has any character at all) "accept himself"; and all our efforts to reassure and accept him will avail nothing. He will continue to hate himself and to suffer the inevitable consequences of self-hatred. But the moment he (with or without "assistance") begins to accept his guilt and his sinfulness, the possibility of radical reformation opens up; and with this, the individual may legitimately, though not without pain and effort, pass from deep, pervasive self-rejection and self-torture to a new freedom, of self-respect and peace.<sup>25</sup>

The psychiatrist, William Glasser, describing his treatment method, *reality therapy*, quotes one of his patients, an intelligent sixteen-year-old girl who, from the age of thirteen, had been deeply involved in prostitution, narcotics, suicide attempts, fighting and general incorrigibility. Under his supervision she had come to the realization that

there was not any excuse for what you had done and you were to hold no one responsible for your actions but you. This is good for it makes you accept the responsibility for your actions rather than giving the fault to everyone who helped compose your environment. . . . I have learned that I cannot alter the past, but that I control my future and the responsibility lies solely with me as to my future.<sup>26</sup>

William Mainord, in his book, *Group Therapy*, argues that many psychotic symptoms are attempts by the patient to avoid responsibility; that repression is a form of concealing from the therapist the truth about one's actual objectionable behavior, and that most of the traditional defense mechanisms are techniques to evade, divert, mislead or attack so as to avoid being held accountable for one's improper behavior and to avoid the obligation to change it. He directs a sharp attack at certain therapists, arguing that their approach to depressed patients which ignores guilt, in

25. Mowrer, *Op. Cit.*

26. William Glasser, "Reality Therapy—A New Approach," in O.H. Mowrer, ed., *Morality and Mental Health* (Chicago: Rand McNally and Co., 1967), pp. 126-127.

the sense of negating it or considering it as almost delusional, as is too often the case, is palliative and superficial.<sup>27</sup>

There is, of course, no solid, empirical evidence for the therapeutic efficacy of any of these relatively new approaches to treatment. However, the same must be said for almost all current psychological and psychiatric modes of treatment. Researchers in psychopathology are only just beginning to conduct systematic, long-term and properly controlled studies designed to measure and compare the effects of different treatments on different types of patients. It may well be that the lack of consensus on ethical and moral values in our society and the related fact that many individuals do not possess any clear-cut set of personal values, will be a stumbling block for all of these value- and responsibility-oriented therapies. It is heartening, however, to see that psychology is considering traditional approaches to the regulation of behavior more dispassionately and open-mindedly than it did heretofore.

Of particular interest is an expanding and promising area of contemporary empirical-experimental research that is closely related to traditional Judaic concern: the cultivation of self-control. It is well known that exhorting an individual to change his ways—even after insight has been achieved—is frequently ineffective. How many patients have stopped over-eating or smoking simply because their therapist advised them to do so? In fact, how many therapists or doctors themselves, who though fully aware of the injurious effects of nicotine, cholesterol or alcohol, still smoke, eat or drink in excess? What other methods besides knowledge and exhortation are available to the physician or the psychotherapist to get the compulsive gambler, the drug addict or the alcoholic to exercise self-control?

B.F. Skinner's contribution to an analysis of mechanisms of self-control has already been mentioned. One of the more entertaining and, for some people—threatening—passages of his novel, *Walden Two*, contains a description and discussion of early training in self-control in his utopian society where a graded series of real-life exercises in controlling temptation and envy is provided to children, beginning at the age of three.<sup>28</sup>

*Walden Two* was published in 1948 and Skinner's descriptions were of imaginary experiments in ethical training. But, since then, researchers in child development have conducted real experiments on impulse control, delayed gratification and self-regulation of behavior. Outstanding in this area has been Walter Mischel, at Stanford University, in some of whose experiments children are exposed to a highly desirable object and tested to see what facilitates or impedes their ability to refrain from self-gratification. Here is one of his findings:

27. William Mainord and Perry London, "Group Therapy," cited in Mowrer, *Morality and Mental Health*, pp. 444-445.

28. B.F. Skinner, *Walden Two* (New York: Macmillan, 1948), pp. 106-113.



It was found that through instructions the child can cognitively transform the reward objects that face him during the delay period in ways to either permit or prevent effective delay of gratification. For example, if the child is left during the waiting period with the actual reward objects (pretzels or marshmallows) in front of him, it becomes difficult for him to wait for more than a few moments. But through instructions he can cognitively transform the reward objects in ways that permit him to wait for long periods (Mischel & Baker, 1975). If he cognitively transforms the stimulus to focus on its nonarousing qualities, for example, by thinking about the pretzel sticks as little brown logs, or by thinking about the marshmallows as round white clouds or as cotton balls, he may be able to wait for long time periods. Conversely, if the child has been instructed to focus cognitively on the consummatory (arousing, motivating) qualities of the reward objects, such as the pretzel's crunchy, salty taste or the chewy, sweet, soft taste of the marshmallows, he tends to be able to wait only a short time (Mischel, 1974). By knowing the relevant rules of cognitive transformation and utilizing them during self-control efforts, individuals may be able to attain considerable self-mastery in pursuit of their goals, even in the face of strong countervailing situational pressures.<sup>29</sup>

Jewish moralists, such as Luzzato, Judah the Pious, and other authors of ethical-religious guides, were astute observers of man acting in the face of temptation. Although they were not experimentalists, nor were they conceptualizing within a natural or social science paradigm, a systematic analysis of the techniques of self-control that these medieval psychologists discovered and recommended may well be a valuable practical contribution to contemporary psychology.

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29. W. Mischel and H. Mischel, "A Cognitive Social-Learning Approach to Morality and Self-Regulation," in T. Lickona, ed., *Moral Development and Behavior* (New York: Holt, Rinehart and Winston, 1976), p. 94.

# *Scholarship As A Priestly Craft: On Harry Austryn Wolfson*

NATHAN ROTENSTREICH

WHEN HARRY WOLFSON, THAT GREAT scholar in the area of the history of philosophy in general and medieval philosophy in particular, passed away, he left behind him an opus whose size and quality make it one of the great achievements of contemporary research in the history and sources of philosophical ideas. Wolfson himself characterized scholarship or, to use the Hebrew term, *lamdanut*, which connotes erudition and scholarship, as a priestly craft. Though applied in an impersonal way, this characterization probably expressed Wolfson's evaluation of his own endeavour. Scholarship, being of this priestly nature, calls upon its guardians, as he puts it, to be jealous for its purity and fearful of its being contaminated by the gaze and touch of the uninitiated. When Wolfson made this statement in an article in 1929, he was in the prime of his life and activity; thus, he expressed the norm of his work up to then and the norm which he meant to apply as the guiding principle in the future. To be sure, in the years thereafter, he enriched the scholarly world with great pieces of research on Philo, on the Church Fathers, on Spinoza and Crescas, though the last work was ready before that date. In his youth, Wolfson wrote poetry in Hebrew, but to the extent that one reader can be aware of it, he did not publish philosophical investigations in Hebrew, even though Jewish philosophy in the Middle Ages and philosophy in its Hebrew expression were the major focus of his work.

It is rather difficult to assess the many forces which lead a scholar to choose a particular field for research and concentration. One may assume that in some cases there are accidental factors or biographical circumstances, but one may also assume that there is a certain conviction about the position of a field of study which becomes articulated and becomes a program for one's approach and procedure. It is from this point of view that we have to emphasize Wolfson's own interpretation of the position of Jewish philosophy, in the traditional sense of the term, as the philosophy of Judaism or as philosophical interpretation of the Judaic sources. In an early article, he said that medieval Jewish philosophy is the only branch of Jewish literature, next to the Bible, which binds the Jews and their creativity to the mainstream of world thought. He pointed specifically to the place of Jewish philosophy in the spectrum of medieval philosophy which, in his eyes, was but one philosophy, though written in three languages—

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Arabic, Hebrew and Latin. Among these three linguistic expressions the one presented in Hebrew holds the central and most important position.

Yet, interestingly enough, he makes the comment that he does not consider medieval Jewish philosophy as the most important field of Jewish studies. On the contrary, he believes, just as did our pious ancestors, though for reasons different from theirs, that the Talmud is the most promising or most fertile field of study for original research and investigation. One finds here, very clearly, a kind of humility as to the intrinsic importance of Wolfson's own subject matter, as compared with the Talmud, and one finds, at the same time, the placement of medieval Jewish philosophy within the general area of philosophy whence it derives its relative significance. Thus, the interest in the general literary world combines with the interest in Jewish philosophy and the two nourish the permanent investigation of Jewish philosophy, as well as themes cognate to it in Christian scholasticism and in Arabic philosophy. And, indeed, Wolfson's comparative studies, like the one on the classification of the sciences in medieval philosophy, are, by now, the cornerstone for any attempt at understanding the thematic concerns of medieval philosophy in general and their transformations in subsequent periods of philosophical interpretations.

Wolfson's erudition and the scholarship which expressed it are not only a mine of information but are, inherently, well-organized. He himself attempted to sum up the method which guided him in his interpretations, which, obviously, are based on texts. He said, again referring to the investigation of the Talmud, that the Talmudic student approaches his text in the same manner that the scientist approaches the study of nature. As he says, the scientist proceeds on the assumption that there is a uniformity and continuity in nature. But, precisely here, Wolfson does not say that the Talmudic student proceeds on the assumption that there is uniformity in the text. He was certainly aware that this could not be a hypothetical assumption but, at the most, the conclusion of the investigation and, empirically speaking, a conclusion which does not stand up to the criticism. What he does assume, and this is his interpretation of the approach of the Talmudic student, is that there is a uniformity and continuity in human reasoning. Retrospectively, one can wonder whether this assumption of the uniformity and continuity in nature still holds good in contemporary interpretations of scientific reasoning. But, from the point of view of one's own awareness insofar as one deals with texts—whether Talmudic or philosophical—the assumption seems to be that these texts exhibit the uniformity and continuity in human reasoning. Hence, they can be deciphered, interpreted and understood, and there is a basic affinity between the understanding investigator or interpreter and the texts which are his subject matter. As a matter of fact, Wolfson tried to find the modes of reasoning behind the various systems that he explored and, when he did find them, the system fell into an understandable pattern.

But, somehow, Wolfson himself, at least as he understood the historical scholarship of philosophy, did not limit his interpretation to the reasoning exhibited in the system. The history of philosophy, in his opinion, is not simply a matter of collecting and classifying philosophical data. In this context, he moved from philosophy to the individual philosopher, commenting on his mind and his total ambience. No philosopher, says Wolfson in a far-reaching statement, has ever given expression to the full context of his mind. Some of them tell us only part of their minds, while some of them veil their thought under an artificial literary form, and it becomes the task of the interpreters to unveil it and to realize the discrepancy between thought and form. But, ironic as it sounds, Wolfson adds that some philosophers philosophize the way birds sing (but, probably, he does not use the metaphor in the sense that Goethe did, to express the spontaneity of the poet who sings like a bird—because Wolfson adds an ambiguous and sharp comment that those who do so are not aware that they are repeating ancient tunes). It is safe to say that Wolfson himself greatly enjoyed the deciphering of oft-repeated tunes.

But he enlarged the scope that was opened for interpreters and, thereby, he probably expressed his conviction that mere reliance on the continuity and uniformity of reason cannot exhaust the guiding principles of research. Words, says he, by their very nature as imitation, conceal one's thought as much as they reveal it (and how close he is here to Bialik's famous essay on the revealed and the hidden in language). There are unuttered words of philosophers and, according to his interpretation, they signal the presence of submerged and unuttered thoughts. It becomes the purpose, therefore, of historical research in philosophy to uncover these unuttered thoughts as well as to reconstruct the latent processes of reasoning that always lie behind the words. This process of uncovering is meant not to uncover the level of unconsciousness but to determine the true meaning of what is said. This is accomplished by tracing back the history of how something came to be said and why it was said as it was. Here, too, we can understand rather well that Wolfson, so closely guided by texts, presupposes not only the uniformity of reason but the presence of past thoughts in given texts, and a kind of objective determinativeness by those thoughts insofar as they are entertained by present thinkers who may be unaware of it. Historical research, though being a reading of texts, becomes also a digging into thoughts. One example of this procedure and its intellectual and ideational sources is to be found in the article on "Causality and Freedom," in *Descartes, Leibniz and Hume*, where Wolfson shows the recurrence of the Epicurean and the Philonic conceptions related to causality and free will in subsequent philosophical variations. Another very illuminating case in point is the investigation into the origin of language, tracing the question in Greek philosophy, in Philo, the Rabbis, the Church Fathers, the philosophy of Islam and Jewish philosophy of the Middle Ages. In this particular essay

Wolfson shows to what extent the philosophical controversy about the “conventional” or “natural” origin of language keeps coming back in different contexts to serve different systematic objectives, including the question about the originality of the Scriptures, and whether or not God taught Adam the names of all things.

There is an irony in the historical investigation of the systems. On the one hand, the scholar reads the text as it stands before his eyes. But, being aware of the relationship between the text and its intellectual or historical background, he discerns that the speculation about God in modern philosophy is still a process of putting old wine into new bottles. Once aware of the newness of only the bottles, he often prefers the old wine for still another reason: he often finds that even the bottles are not new, and it is only the labels that are, (and he adds a sarcastic comment that one begins to wonder how many latter-day philosophies of religion would prove to be only philosophies of labels). The historian faces a dilemma: he is called upon to look into the historical occurrence as it stands, but, looking into it, he discerns the hidden sources and becomes nostalgic, preferring them to their new bottles or labels. But there is here an additional aspect: there are two vintages of the old wine. There is a vintage of revelational theology of Scripture and there is a parallel old vintage of the natural or verbal theology of Greek philosophy. In his historical research, Wolfson traces the various attempts at a synthesis between the two, but, somehow, he becomes aware that it cannot be achieved, or, at least, that the revelational theology of Scripture, inaccessible as it may be to the modern mind, is to be preferred, even though that preference lacks a normative significance for modern generations. To use contemporary parlance, one might say that the significance of the old vintage is not relevant but is significant, nonetheless. At this point, Wolfson’s analysis and presentation becomes ironic and even sardonic.

This attitude, with all the complexities and perplexities which it exhibits, becomes most prominent in a little article called “Sermonette: The Professed Atheist and the Verbal Theist.” The text is verse 1 in Psalm 14: “The fool hath said in his heart, there is no God”—where the English “fool” stands for the Hebrew *naval*, which means more than a fool and has an implication of wickedness. Wolfson says that the fool is one in the sense of being perverse and contrary, that he denies what others affirm, but, in doing so, he is a downright, plain-spoken fellow. He bluntly and honestly says to himself and to others that there is no God. He is a professed atheist, willing to be known as one, and refrains from quibbling about the meaning of God. He does not offer a substitute God. One might ask whether this description does not exhibit a kind of nostalgia, for, after all, as we have seen, Wolfson, in his programmatic statement, maintains that a philosopher does not always exhibit the full range of his thought and may not even be aware of that range.

As a matter of fact, though Wolfson deals with the subject only briefly

here, he does want to convey a rather simple conclusion—namely, that there is no substitute for the original meaning of God, even though the chain of philosophizing and of philosophers in the post-Biblical era can be viewed as a continuous attempt of the lovers of wisdom to engage busily in the gentle art of devising deities. Some of those lovers of wisdom offer as God something called, as Wolfson puts it, man's idealized consciousness—and, we can add here, a kind of super-ego or even Kant's holy will. Other philosophers offer something called man's aspiration for ideal values as a deity, or else they bestow on what is called the unity of the ideal ends which inspire mental action—and call that God. As a matter of act, if we read the description carefully, we can realize the affinity between idealized consciousness and ideal ends, though the first direction emphasizes consciousness, while the other direction emphasizes the whole of the values. But Wolfson, probably pointing to such trends in philosophy as are represented, for instance, by Whitehead or Bergson, speaks not only about the moral aspect of the deities that are devised but about the cosmic consciousness or the immanent affinity between things that furnish the world and which he describes as the universal *nisus* or *élan vital*, and, possibly even more pointedly, in the direction of Whitehead, the principle of concretion. But here, at this juncture, Wolfson faces a dilemma, being motivated by a kind of scholarly or intellectual honesty as well by his insistence that, fundamentally, there is no substitute for the original meaning of God. It is preferable, to use the common expression, to call a spade a spade than to pretend to reinterpret the meaning and the position of God. Hence, says Wolfson, he wonders how many of the things which are offered as God by the philosophers in their capacity as literally lovers of wisdom, are not again only polite but empty phrases for what is the downright denial of God. If this is so, then Wolfson clearly prefers the fool of the Psalms to those who remove all meaning from the concept of God but are not aware of what they are doing, or who present concepts which are meant to be equivalents for the basic meaning of God.

Looking at this sharp distinction and at the preference which he gives to the professed atheist over the verbal theist, we cannot avoid the comment that, in his work, Wolfson studied these various attempts to replace the original meaning of God with *ersatz*-meanings, and that he probably found great satisfaction in this research and its subject matter. Moreover, he eventually came to the conclusion that Western philosophy is characterized by two consecutive attempts: one by Philo and the other by Spinoza. Philo tried to cling to the Bible or to the Hebrew Scripture, presenting God as the God of Revelation for whom all things are possible, and, eventually, he tried to assess the veracity of Scripture. Using philosophical tools, Philo attempted to enhance the Biblical meaning of the unity and uniqueness of God, and to remove from the divine sphere any possibility of duality or division. He interpreted the unity of God as absolute and that is why Wolfson regarded Philo as *the* philosopher (as we

say in Hebrew *be-heh hayidiah*) who did not need to find a philosophical substitute for God, but, on the contrary, meant to maintain the meaning of God by philosophically deepening its essence. The philosophical apparatus eventually became a tool for justifying Scripture and its meaning. There is a trend toward synthesis in Philo by the tipping of the scale in the direction of the Bible. As against this tradition, a parallel one is to be discerned, related basically and primarily to Greek philosophy. In this context, Spinoza must be seen as the philosopher who reinstituted the Greek concepts of God, the soul, freedom and ethics. Spinoza is daring, but he introduces no novelty, precisely because he continues the Greek philosophical trend as opposed to the Biblical one. Philo was the first philosopher who attempted to combine the Hebrew Scripture and Greek philosophy. Spinoza was the first philosopher who attempted to break up that combination. Would it be only a speculation, or fanciful, to assume that, somehow, Wolfson has perhaps seen a manifestation of poetic justice in the fact that it was a Jew who attempted to bring about a combination of the trends and another Jew, many centuries later, who attempted to break it up? Was it, in his opinion, a family quarrel?

There is no question about the depth and the magnitude of Wolfson's opus. His works, his books and, perhaps even more, his articles are cornerstones in philosophical thinking and guideposts in understanding the continuities of such thinking as well as the problems which have been involved in the systematic attempts and conclusions. But we can hazard the conjecture that behind the scholarship and the precision with which he was endowed we find many intellectual struggles—aspects that are revealed and aspects that are concealed.



# *Understanding and Misunderstanding Talmudic Sources*

MARC D. ANGEL

THE TALMUD IS AN ENORMOUS WORK, CONSISTING of materials taught and recorded over a span of many centuries and emanating from different locations and schools. It contains laws, discussions, homilies and the opinions of many scholars—their debates and their differences in style and attitude. The Talmud is, obviously, not a monolithic work, nor do the rabbis have one clearly-defined view on all topics.

It is, therefore, disconcerting to hear well-intentioned people tell us glibly that *the* Talmud teaches this, or that our *Hazal* (Sages of blessed memory) teach us that. The fact is that *the* Talmud and our *Hazal* teach many things, some mutually exclusive. A student of Talmud and halakhah must have the literary tact to see a Talmudic statement for what it actually is, to judge it fairly and within its own context. One of the problems with contemporary lectures and articles dealing with halakhah is that the authors often seem not to have analyzed the Talmudic sources which they quote. In some cases, certain interpretations of passages have been so thoroughly accepted that the passages themselves are seldom re-analyzed in an impartial way.

Since halakhic discussions are perhaps more popular today among a wider segment of Jewry than ever before, it is important for us to sharpen our critical abilities and to go back to the primary sources in the Talmud. We should not accept would-be spokesmen of *the* Talmud, *the* halakhah or *the* Sages unless we have first considered the sources upon which they rely. In this article, I shall consider several examples of Talmudic statements which I believe are generally misunderstood or which are subject to alternate interpretations from those which are commonly given.

1. *Nashim da-atan kalah*. (“Women are temperamentally light-headed,” or “Women’s understanding is light.”)

This statement is frequently quoted by feminists to demonstrate the Talmudic disdain for women’s intellect. It shows, we are told, that “women were considered unfit for study,”<sup>1</sup> and a modern rabbinic apolo-

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1. Paula E. Hyman, “The Other Half: Women in the Jewish Tradition,” *Conservative Judaism* (Summer, 1972): 5, note 6.

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gete has admitted that “the Rabbis meant to indicate in this statement the tendency of women toward superficiality of reasoning.”<sup>2</sup> Let us now consider the two sources for this statement in the Talmud and determine if either of the above opinions can be substantiated.

The Mishnah in *Kiddushin* (80b) indicates an opinion that one man must not remain in private with two women, but that one woman may remain in private with two men. In trying to understand the reason for these statements, the opinion of Tanna Debei Eliyahu is quoted: “since women are lightheaded.” That is, one man might seduce the two women since their emotional resistances could be broken down, but two men would be ashamed to seduce one woman. We must note several things: 1) the statement about women’s light-headedness has nothing to do with intellect or the power of reasoning; it refers to an assumed weakness in the realm of emotions. 2) Rabbi Shimon’s opinion in the Mishnah, according to the reading quoted in the *Tosafot* (d.h. *Rabbi Shimon Omer*), is that one man may, indeed, remain in private with two women. Accordingly, he does not assume that women are emotionally weaker in such a situation. Thus, the Mishnah itself contains two views on the subject.

In the tractate *Shabbat* (33b), we find the other reference to this phrase. Rabbi Shimon bar Yohai, fearing execution by the Roman authorities, was in hiding with his son in the Bet Midrash, where his wife secretly supplied them with food. As the search of the Romans intensified, the Rabbi thought it best to find a better hiding place in a cave out of town. He told his son, therefore: “Women are light-headed; maybe they will torture her [my wife] and she will reveal [our hiding place].” In this case, too, it is clear that Rabbi Shimon bar Yohai makes no reference to his wife’s intelligence, fitness for study, or ability to reason. He merely states that a woman’s will might break under extreme pressure. Whether a man’s will might break sooner or later than a woman’s is not the issue here. Rabbi Shimon bar Yohai stated what he may have thought to be true in his circumstances.

Another point, although speculative, should be added. It would seem that the phrase about women being light-headed was a folk-saying, much like the phrase sometimes heard today, that “women are fickle.” Such proverbs, although reflective of folk-attitudes, should hardly be cited as carefully-prepared halakhic or intellectual opinions. They certainly should not be generalized to convey the formal thinking of the individuals who might use them in some situations.

We find, thus, that this statement has nothing to do with women’s intellectual abilities. It is unjustifiable, therefore, to use it as *the* opinion of the Talmud concerning women’s fitness for study or ability to reason.

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2. Ralph Pelcovitz, “‘Women’s Lib’ in Torah Perspective,” *Jewish Life* (July, 1972): 31.

2. "All positive commandments limited to time: men are obligated to fulfill them and women are exempt," (Mishnah, *Kiddushin*, 29a).

This statement is often used as a working principle, an axiom of halakhah. For example, an anonymous passage in the Babylonian Talmud (*Berakhot*, 20b) does assume that this statement is a firmly established rule.<sup>3</sup> A contemporary rabbi has written of it: "The Mishnaic rule is a legal one because it tells us something precise and without exception." It applies universally, unless there is a "specific mandate to the contrary."<sup>4</sup>

But where did this principle originate? Was it a principle of the Oral Law from which scholars determined which positive commandments applied to women and which did not? This, of course, is possible.

Yet it is also possible that the "principle" came after the data. That is, rabbinic interpretation of verses in the Torah excluded women from various commandments and included them in others. Once the interpretations were completed, the "principle" described their general results. The essential responsibilities and exemptions of women, therefore, might not have been determined by this axiom but by rabbinic interpretation. Should a Sanhedrin be reinstated with the power to interpret and legislate on the basis of the Torah text itself, it would be free, theoretically, to re-analyze past interpretations which were based on reasoning and hermeneutic principles.<sup>5</sup> It would not necessarily be bound to the Mishnaic "rule."

The "principle" of the Mishnah is, indeed, challenged in the text of the Talmud (*Kiddushin*, 34a). Examples are given of positive commandments limited to time which women are obligated to perform. Conversely, examples are given of commandments not bound to time from which women are exempted. Rabbi Yohanan is quoted: "We do not learn from principles." That is, we do not use general principles as bases for determining laws. They are descriptive, not prescriptive; they are general statements, not "something precise without exception."

Maimonides, in his commentary on this Mishnah, notes:

... and you already know that the essential [fact] according to us is that we do not learn from principles. And although it says "all" it means to say "the majority." Whether women are obligated in positive commandments or not obligated is not dependent on the principle. Rather [the obligations and exemptions] were handed down orally and came from the Tradition.

From this discussion, we may draw several conclusions: 1) The "principle" may be descriptive, rather than prescriptive, and need not necessarily be used as the rule governing women's obligations in Jewish law. The "principle" has significant exceptions; 2) The obligations and exemptions

3. The Jerusalem Talmud on the same Mishnah does *not* assume this principle. See J.T. *Berakhot*, Chapter 3, halakhah 3.

4. Moshe Meiselman, "Women and Judaism: A Rejoinder," *Tradition* (Fall, 1975): 62.

5. For the power of the Bet Din Hagadol to interpret the Torah, see Maimonides, *Mishneh Torah*, *Hilkhot Mamrim*, 1:1-3, and 2:1.

of women were determined by Oral Tradition or interpretations of the Torah text. For example, there are specific rabbinic interpretations of Biblical verses which exclude women from the obligations of *Sukkah* (*Sukkah* 28a, *Kiddushin* 34a) from the commandment to visit the Temple on the three festivals with special offerings (*Hagigah* 4a, *Kiddushin* 34b), or from the obligation of wearing *zizit* (*Sifri*, *Parshat Sh'lah*, no. 115). Criticisms and apologies concerning women's status in Jewish law should not focus on the "principle" but on the actual Scriptural interpretations and traditions, case by case.<sup>6</sup>

3. "Whoever teaches his daughter Torah teaches her obscenity" (*Sotah* 20a).

This statement of Rabbi Eliezer, quoted in a Mishnah, has been taken to mean that girls and women should not be taught Torah. Ms. Paula Hyman has concluded that Rabbi Eliezer considered women as "frivolous, ignorant beings,"<sup>7</sup> and to teach them Torah would be useless and even wrong. Rabbi Eliezer is also on record as having said that it would be better for the words of Torah to be burnt rather than given over to women. (It is interesting to note that Rabbi Eliezer's wife, Imma Shalom, was quite a prominent personality and seems to have been intellectual and, presumably, learned in Torah.)

Few would take Rabbi Eliezer's statement literally. Generally, his comment is applied only to those parts of the Oral Law which are of no practical value to women. Most scholars (if not all) will agree that women should be taught all laws and customs which they need to live as pious and observant individuals.

Since Rabbi Eliezer's statement has, in fact, been adopted as law by Maimonides (*Hilkhot Talmud Torah*, 1:13) and others, it cannot be denied that girls have normally received less training in Torah than boys. The establishment of seminaries for girls, co-educational day schools, and Stern College for Women have been radical innovations made by Orthodox Jews, although the revolutionary nature of such schools has seldom been adequately appreciated. Yet, I believe, an objective analysis of Rabbi Eliezer's statement might offer an alternate way of understanding what that rabbi really said.<sup>8</sup> Let us consider the statement in its full context.

The Mishnah discusses the laws of *Sotah*. A married woman who was suspected by her husband of having committed adultery was, under certain circumstances, compelled to drink the "bitter waters." This special

6. I am grateful to my brother, Rabbi David Angel, for sharing with me his research on this topic.

7. *Op. Cit.*, p. 5.

8. For a similar interpretation, see Felix Kanter, "Das Thorastudium und die Frauen." *Jeshurun* (1914), no. 4: 132. Dr. Kanter argues that the "Torah" mentioned in this Mishnah refers specifically to the case of the Mishnah, not to the entire Torah.

solution, given to her with much solemnity by the high priest, would reveal her guilt. If nothing happened to her, she was innocent of the charge. If her face became discolored, her eyes bulged and her veins protruded, she was assumed to be guilty. The Mishnah then adds the point that if the woman had some merit, the signs of guilt which would torture her body might be postponed for a year. If she had more merit, the suffering might be delayed for two years. If she had even more merit, the ordeal might not occur until three years had passed. Thus, it was possible for a guilty woman to drink the bitter waters and yet appear innocent for quite a long time.

From here [this case] Ben Azzai says that a man is obligated to teach his daughter Torah so that if she should drink [the bitter waters] she will know that her merit protects her [from immediate punishment]. Rabbi Eliezer says: whoever teaches his daughter Torah teaches her obscenity.

Seeing this discussion in its context leads to several questions: 1) Why would Ben Azzai base his opinion that fathers should teach Torah to their daughters on such an unusual case? That a daughter should ever be in the situation of *Sotah* is extremely unlikely. The laws of *Sotah* can hardly be considered to be “practical” Torah education for the vast majority of daughters. 2) Why does Rabbi Eliezer state that teaching Torah to a daughter is like teaching her “obscenity” (*tiflut*)? This is rather strong language to use. He might have said that teaching girls Torah was useless or harmful or unnecessary or forbidden. Why use the term “obscenity”? It shocks us by its inappropriateness.

In view of these questions, this Mishnah is subject to an interpretation different from what which is generally given. The word Torah does not here refer to the entire Torah, written and Oral. That is obvious and universally conceded. I think that the word has very limited meaning in this Mishnah, referring specifically to the law of *Sotah* as outlined in the Mishnah’s discussion. The Mishnah might, therefore, be understood as follows: if a woman drinks the bitter waters and does not immediately show signs of guilt, she may still be guilty but the signs may be delayed up to three years in concession to the meritorious deeds which she has performed in her lifetime. On this basis, Ben Azzai says that a man should teach his daughter the rules of *Sotah* so that if she should drink the bitter waters and not receive immediate punishment she should not think she has evaded the consequences of her sin. Rather, she may expect the signs of guilt to appear within three years if she is, in fact, culpable. Ben Azzai is concerned that a father should impress upon his daughter the importance of marital fidelity. She should be taught that she cannot escape punishment for immoral behavior, even if that punishment is sometimes delayed.

Opposing this opinion is Rabbi Eliezer, who holds that a father who teaches the law of this Mishnah to his daughter is teaching her obscenity.

She will come to think that she can get away with immoral behavior, believing that the meritorious actions to her credit will defray any punishment. If her father explains that she may escape punishment for up to three years, it is possible for her to think she can escape altogether. Drinking the bitter waters might not then be seen as the terrible experience that it is supposed to be and a woman might think that she could behave immorally and still avoid retribution.

This interpretation of the Mishnah would preclude the use of Rabbi Eliezer's statement as a general prohibition to teach Torah to women. Rather, there is here a specific opinion on a specific case and does not necessarily indicate that Rabbi Eliezer thought that women were "unfit for study."

4. "Our Rabbis taught . . . A non-Jew who has come to receive the words of the Torah with the exception of one point: we do not receive him (*ein mekablin oto*)" (*Beḥorot*, 30b).

It is generally maintained that a non-Jew who wishes to convert must accept the responsibility of observing all of the commandments incumbent on a Jew. Ideally, this is a desirable expectation. However, a question arises in cases where non-Jews converted to Judaism without an actual commitment to observe the halakhah in full. Is such a conversion valid? If the officiating rabbis are not really confident that the convert will be a fully observant Jew, may they perform the conversion? There are various opinions on these issues and it is not now my purpose to analyze them. However, I wish to consider one Talmudic passage which is frequently cited in defense of a strict position concerning conversion.

The dictum in *Beḥorot* (30b) seems to imply that a non-Jew must accept the entire Torah in order to be accepted as a convert. If he/she makes a single exception—agrees to observe all the *mizvot* but one—he/she cannot be received for conversion. Indeed, one contemporary rabbi has translated the Talmudic phrase as follows: "Our Rabbis taught . . . If a heathen is prepared to accept the Torah except one religious law, we must not receive him (as an Israelite)."<sup>9</sup>

However, an analysis of the statement in its context challenges the validity of this translation. The misunderstanding surrounding the passage stems from the words *ein mekablin oto* (we do not receive him). What do these words mean? In what sense do we not receive him? Is it correct to translate the words as meaning we *must* not receive him *as an Israelite*?

Let us look further at the context. After saying that we do not receive a non-Jew who accepts the Torah except for one point, the rabbinic dictum goes on: "And likewise with a Levite who comes to receive the rules of the Levites and a Cohen who comes to receive the rules of priesthood with the exception of one point, we do not receive him (*ein mekablin oto*)."<sup>9</sup> Does this

9. Steven Riskin, "Conversion in Jewish Law," *Tradition* (Fall, 1973): 33.

mean that a Levite who does not accept one rule is no longer a Levite, or that a Cohen who does not accept one rule is no longer a priest? Of course not. No one would translate *ein mekablin oto* to mean that we do not accept the person as a Levite or a Cohen. Rather, it might mean that we do not allow him to officiate in his normal capacities. Similarly, in the case of the non-Jew, the rabbinic statement does not mean the person is not a convert. He/she is a convert, but *ein mekablin oto*—we do not receive such converts with open arms. We might not want to marry them or give them certain rights and privileges. Since the person's commitment to Torah and halakhah is less than complete, we may choose not to associate with him/her. But regardless of personal feelings, the person is, nevertheless, a real convert and is obligated to fulfill the laws incumbent on all other Jews. The Talmudic statement does not say that such a person is not a convert.

In this connection, it is interesting to note a statement of Rabbi Benzion Uziel, late Rishon Lezion of Israel: "If a convert accepts the Torah and the rewards and punishments of the commandments but continues to behave in his accustomed way prior to conversion, he is a sinning convert, but we do not hesitate to accept him because of this."<sup>10</sup> Conversions are obviously not to be encouraged on this basis; but, if performed, they may be valid.

The examples and discussions cited in this essay are, of course, subject to dispute. Differences of interpretation and emphasis are possible. The important point, though, is that Talmudic sources be re-opened to analysis. In dealing with questions of halakhah or religious outlook, it is imperative that we return to primary sources and evaluate Talmudic statements in their contexts.

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10. *Mishpetei Uziel*, Y.D. Vol. 2, sec. 1, no. 58. See also, R. Hayyim Ozer Grodzenski, *Ahiezzer*, Vol. 3, no. 26, sec. 4.



# *German-Jewish Literature: An Overview*

LOTHAR KAHN

IN NO WESTERN NATION HAS THE JEW BEEN hampered more than in the Germanies in his attempt to achieve integration into the dominant society and yet to retain his Jewish individuality. The various formulations for Jewish emancipation at the end of the 18th century had paved the way for this dual aspiration, and in the decades and even in the century following, the possibility of it materializing seemed real at times, only to be struck down again shortly afterward. For the Jew, attainment of the twin target—and German reactions to its realization—were challenging and confusing, tantalizing and frustrating. The zig-zag course of developments kept him off-balance, unsure of himself, alternately hopeful and desperate, beseeching and resentful, apologetic and defiant.

The fact is that, in the 130 years of experience outside of the ghetto walls, the German Jew never did fully achieve integration while retaining individuality. Some claimed, of course, that being fully Jewish and fully German at the same time was impossible. There were equal objections to the Jew being only German or only Jewish. But, regardless of whether there was good or ill will on the German side, no one anticipated the end of the long-standing hope coinciding with the end of Jewish life in Germany and one of the worst horrors in history.

For the duration of the vain struggle the co-existence of German and Jew was marked by perennial tension out of which were born both extraordinary achievements in the arts and sciences as well as some of the crudest expressions of the human spirit. The history of Jewish writing in Germany—i.e., writing by German Jews in the German language or on Jewish experiences mainly in German-speaking lands—must be viewed against this backdrop of pleas and rejections, pride and humiliation, singular achievement and dreadful failure.

In other nations, too, acceptance of the Jew with Jewish identity was not always a smooth process. In France, there were the disturbing Damascus Affair of 1840 and the terrifying Dreyfus episode at the end of the century to remind Jews that their integration fell short of perfection. In England, Jews had minor occasions to question their status. Episodes in Italy or the United States were insignificant, but in Germany the emancipation debate was agonizing during the eighty years of its duration. Its tone was often acrimonious, the anti-Jewish pamphlets hateful, the mood tense and nervous; the Jewish responses ranged from moderate to angry

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and defiant. Also, throughout the nineteenth century, there were periods with disquieting incidents: there were the Hep Hep riots, beatings in several cities, the “Jew-debates” after unification. Later, there was the virulent anti-Semitism of 1919–23, which spawned a Hitler and which proved beyond reasonable doubt that anti-Semitism was a permanent fixture on the German scene. All incidents tended to reenforce doubts about the Jew’s identity, that which he forged for himself and that which others forged for him, and deepened his questions about himself.

The Jews had ample reason to feel themselves a merely tolerated people, even an oppressed one. Like all such peoples, they went through phases when they found themselves accepting the implied demands of their oppressors, reacting as they would have them do, often accepting the image which was imposed upon them and which was always to the benefit of the oppressors and at the expense of their victims.

As a result, German Jews—far more than their co-religionists in the Western world—developed a strongly reactive, defensive psychology. The Germans proposed, disposed, acted; the Jews reacted. Perhaps this was especially true of those most aware—the writers, some of whom reacted defensively-aggressively by showing their ire, civil courage and a devil-may-care attitude toward both their oppressors and themselves. The earliest major writers of the century, Heine and Börne, remain arch-examples of this spirit. Others reacted defensively-apologetically, seeking patiently to refute arguments, to explain, to demonstrate, through word and example, their worth as human beings, their *Deutschtum*, the virtuous living which they derived from their Judaic-ethical heritage. The mid-century novelist, Berthold Auerbach, and the tellers of the ghetto tales, Ludwig Kompert, Aaron Bernstein, to mention but a few of many, remain prime examples of the “let us re-educate our German brethren” approach.

The defensive-aggressors had reconciled themselves to the Germans’ politics, their lack of social and political maturity, their attitude toward Jews. They sought, instead, to shower upon them the satiric wit which, at this time of Jewish entry into the German cultural world, was regarded as a specifically Jewish commodity. As adroitly and as potently as Voltaire, though sometimes less charmingly and with less restraint, they vented their frustrations on their German masters, but also on Jews as their obedient slaves. Auerbach apologized for Heine, the witty aggressor, accepting the oppressor’s view of irreverent wit as an undesirable trait and Heine’s questionable way of life as not at all typical of the virtues born to Jews. Forty years after Auerbach’s attack on Heine,<sup>1</sup> which the former came to regret in a period of intense anti-Semitism, another German-Jewish writer, Georg Hermann, was ambivalent or uncertain enough to write a Jewish *Buddenbrooks*, a history of the Gebert family, without referring to a single Jewish practice or holiday. (He did insert a Jewish celebration of Christmas.) Certainly both types of writers, the aggressors and

apologists, were acutely aware of the public-relations role that they were playing; both were united in one respect, though their approaches differed: where they encountered overt anti-Semitism, they responded in defense of Jews, regardless of their degree of commitment or their own criticisms of Jews.

There were, of course, a handful of Jewish writers who, out of conviction or sheer despair, adopted the enemy's portrait of themselves. The Austrian Otto Weiniger, though his case is complex, and the Hanoverian Theodor Lessing as a young man, were victims of this phenomenon of self-hate. Both suffered acutely, the former ending his twisted, tortuous, though not wholly unadmirable, life with self-immolation; the latter, after becoming a dedicated Zionist and Jew, falling victim to an assassin's bullet while in exile in Czechoslovakia. Another Jew and occasional writer-philosopher, Walther Rathenau, in whom elements of Jewish self-deprecation were not rare, also died at the hands of German nationalist bullies. Though the pathology of self-hate has naturally elicited a great deal of analysis, it was more a disturbing than a common phenomenon. More significant was the broader dilemma of Jewish self-image with which all German-Jewish writers, in greater or lesser degree, had to wrestle. The problem was as severe internally as the response to anti-Semitism was externally.

Problems of self-image stemmed largely, as previously noted, from the inadequate defenses of an emerging minority group vis-à-vis the pejorative stereotypes imposed on it. But they also derived from the natural conflict between merchant-father and artist-son. In his despair over being misunderstood, or undersubsidized, the latter frequently had recourse to depicting fathers and other Jews as "philistines." Especially among the aggressors, several of whom were apostates, Jews (thinly veiled as parents or relatives) are shown in pursuit of economic gain and oblivious to all but profit and the acquisition of wealth. This "philistine" preoccupation was especially faulted when the authors assessed avid religious practices against the backdrop of money, more money, the propensity to economic wrongdoing if the result warranted it—and, especially, when it involved the hated *goy*. The writers also castigated Jews for their slave psychology, and for accepting injustices from *goyim* without fighting them openly and forthrightly. At times they faulted the "culture" of the "philistines" as pretense and pretention and pointed to their language as containing either echoes of the ghetto or traces of preciousness. Ironically, in their own lives, the writers often manifested behavior that was not so different from that which they were railing against. Like most people in financial straits, they felt compelled to seek assistance from fathers, uncles, relatives, who were not overly sympathetic to creative—i.e., financially unproductive—effort, were slow to recognize their genius and impervious to their desire to bring credit to either Jews or German culture. Instead of harkening to their pleas with recognition and generosity, and

willingly accepting the role of benefactor, the relatives, often men of money, merely threw a few crumbs to the struggling writers, and even these reluctantly.

Of course, in a broader sense, the portrait of the "philistine" resulted from the perennial conflict between bourgeois and artist, between everyman and the exceptional being. While in the non-Jewish world the son of an aristocrat or of someone in the leisure class might have his parents accept his irregular hours, his leisure, his writing, perhaps even his bohemian life style more readily, the families of Jewish merchants had generally developed no such tradition. In the Jewish world of the 19th century, nearly 1800 years of traditional life were suddenly broken by the changes and new opportunities that were offered to the young. The Jewish writer in Germany was a new phenomenon on the cultural scene; in the initial decades of the 19th century he was an object of curiosity, viewed favorably at first when he behaved; viewed negatively afterward when he dared develop an individuality and defend himself against unwarranted attacks. Not within his own Jewish group, and even less outside, was he able to establish himself; being a curiosity and thus, a focus of attention, he did not always know how to behave in a manner satisfactory to either group. As for his relatives, if he brought abuse to Jewry, along with credit, the Jewish mentality of the time feared the effects of the former more than it welcomed the benefits of the latter. Hence, the appearance of a Börne or a Heine did not achieve immediate acclaim among average Jews, who might very well have been happier if Börne had continued as a police clerk and Heine had succeeded in the law. The former's wealthy father and the latter's affluent uncle enjoyed keeping them dangling by giving them just enough for subsistence. One joke current in the 1830s revolved about Heine and his frustrating relationship to his well-to-do uncle, Salomon Heine of Hamburg. The poet had written to Uncle Salomon asking permission to add his mother's maiden name "von Gelder" to his present name—indicating that henceforth he would write under the name of Heinrich Heine von Gelder. Uncle Salomon, the joke had it, responded that he had no objection to recognizing what was after all the status quo: was not Heinrich already getting his *Gelder* from Heine?

The insecurity of the German Jewish writer, resulting from the general failure to be accepted as an equal citizen who was entitled to a private domain as Jew, accounts also for his attitude toward *Ostjuden*, with their kaftans, their *peies*, their *Jargon* and their pushy argumentativeness. These foreign Jews, with whom there was no more in common than the "Mosaic persuasion," were a further threat to the attainment of the ever-elusive twin goal. This rejection of the Eastern Jew by the bulk of German-Jewish writers—Heine, Döblin, and A. Zweig were their most prominent partisans—was not only an expression of a deep seated fear-neurosis; it was, of course, also and for a long time, the denial of Jewish nationhood.

The insecurity took other equally unsalutary forms. It led to violent contortions of the spirit,<sup>1</sup> a psychological malaise, a recurrent lament, expressed ever so often in self-pity. Heine is said to have exclaimed that the Jewish religion is no religion at all, but a misfortune.<sup>2</sup> Alfred Döblin claimed that in his innermost self the Jew entertained a secret prayer, "Oh, Lord, please liberate me from being a Jew,"<sup>3</sup> and Jakob Wassermann at times seemed to agree. In his fiction he presented Jewish types that were "effete intellectuals, harsh bankers, ugly Eastern Jews, idealistic redeemers, etc."<sup>4</sup> This same Wassermann regarded the tragedy in the life of the Jew to be the union in his psyche of a sense of superiority—a remnant of the Chosen People concept—and the stigma of inferiority.

Only a few authors managed to resolve their Jewish conflicts with little detriment to their functions as human beings or as writers. Arthur Schnitzler and Lion Feuchtwanger, in different ways, seemed to achieve a certain serenity; the Zionist writers—Max Brod, the early Arnold Zweig, Beer-Hofmann—though they were but few and were under even greater stress and agitation, came to terms with themselves. It would be an absurd exaggeration to impute the high rate of suicides among the writers only to conflicts surrounding their Jewishness, but it would be equally foolish to dismiss that factor completely. It was involved in the first recorded suicide, that of the poet Daniel Lessmann, as it was in the voluntary deaths of the last generation—of Stefan Zweig, Kurt Tucholsky and Walter Hasenclever, to mention but a few. Care must also be taken neither to exaggerate nor to minimize the fact that most "abnormal" Jewish behavior among writers occurred during the two periods when Jews seemed most prominent, most visible, most admired and most hated, i.e., the second post-Mendelssohnian generation and the Weimar era. Co-incidentally, the same two periods appeared to be, perhaps because of Jewish cultural cross-stimulation, among the finest in German literary history generally.

But if there was tragedy in the life histories of German-Jewish figures, there was also its opposite—laughter. As has been repeatedly pointed out, from Heine to Freud to our own era, good humor has a serious, perhaps even tragic, element at its base. For dominated groups who add their own brand of hopelessness and despair to ordinary human Sisyphean burdens, laughter has always proved a vital outlet. Among the German-Jewish writers, laughter was a constant since the days of Heine, Börne, Saphir, "the three devils of the post Mendelssohnian era." Again, to skip to the other period of Jewish eminence, Tucholsky, Karl Kraus,

1. In the post-Heinean era, the aggressors tended to defend Heine staunchly, except perhaps for this extreme attack on Börne. Ambivalent Jews, apologists, etc., such as Jakob Wassermann, admitted that Heine was a source of conflict for them and for others who were like-minded.

2. Quoted by Ludwig Marcuse in *Heinrich Heine in Selbstzeugnissen und Bilddokumenten* (Hamburg, 1964), p. 64.

3. *Flucht und Sammlung*, p. 38.

4. J.C. Blankenagel, *The Writings of Jakob Wassermann*, pp. 34–37.

and a plethora of other satirists still found in laughter a response to the goings-on around them or the torments within them. This laughter was turned as much inward at Jews as outward at *goyim*. Above all, especially among the aggressors, it directed its satiric thrust at the institutions which made it impossible for them to live as human beings, as Germans or Austrians or as Jews. At times it was laughter to comfort and reassure; then, too, it was *Galgenhumor*, the black humor of sufferers; at other times, though more rarely, it was the gay, spontaneous laughter of those who loved those whom they laughed at and with. Only exceptionally, as with Moritz Saphir, was the laughter empty, for its own sake, buffoonery, punsterism, mere verbal cleverness or farce.

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From his initial appearance on the German scene, the Jewish writer seemed beset by another problem: conversion to Christianity by baptism. In every generation conversions were frequent, but in only a few instances, such as those of Ludwig Robert, Alfred Döblin or Franz Werfel,<sup>5</sup> was it the result of genuine religious conviction. The clear majority invited baptismal water to sidestep the professional and practical problems that faced them as Jews. They saw the Judaism of their time as having too little intrinsic merit to justify it as a continued obstruction to their careers. Of course, many discovered that even following baptism their path was still encumbered by the black fact of past Jewishness. Ludwig Börne, born Loeb Baruch, complained in 1820 or thereabouts that whenever people were angry at him, they suddenly saw the Baruch in Börne. Heine, too, found the convert's road strewn with occasional thorns of remorse. And, in this century, Kurt Tucholsky complained that he had formally left Judaism in 1911, only to discover "that this is not possible."

Perhaps no group was as pathetic in its reaction to conversion as the men of the second post-Mendelssohnian generation. Men like Daniel Lessmann and Ludwig Robert had passionately supported the struggle against Napoleon, the "brutish tyrant," at least partly because they now thought that, like everyone else, they, too, had a Fatherland. But, following the Emperor's fall and the ensuing reaction, they had to face the ugly reality that as Jews, or former Jews, they had fared better under the foreign tyrant than under the royal Christian princes of the Germanies, nearly all of whom had recanted on the emancipation given under French pressure. This realization of the post-Waterloo years led to serious disenchantment among patriotic writers like Michael Beer, who remained a Jew, as well as among the apostates. In France, where the situation of Jews was settled, though not entirely advantageously, by Napoleon and the Sanhedrin, there was no stampede to the baptismal

5. There was probably no *formal* conversion of Werfel, but there can be no doubt that there had been an inner conversion to Catholicism.

font, but in Germany it never ceased entirely in what was to remain of German-Jewish co-existence. In the mid-nineteenth century such figures as Fanny Lewald and Karl Beck converted, though with no overpowering spiritual conviction. More recently, Tucholsky, Döblin, perhaps Werfel, opted for it—the latter two with a genuine religious bent. But, on the whole, baptism proved just another illusory approach to full acceptance. In the early nineteenth century, baptism, emigration and suicide were the major options confronting the writer-intellectual of Germany.<sup>6</sup> None of these options ever disappeared entirely; emigration and suicide remained “viable” to the very end.

Intellectually, the confusion of the German-Jewish writer in relation to his Jewishness was never cleared up to his satisfaction. His legacy was complex. Up to 1800 or thereabouts, the German house of Judaism had been isolated from the world outside. It was an ancient house, firm and strong only if no winds were allowed to penetrate through tiny cracks in the structure. It was solid only if the windows and doors were kept tightly shut. But if they were left ajar, even the mildest breezes could cause shaking inside. Mendelssohn thought that he could strengthen the house, without leaving it at the mercy of the elements, if he boldly opened the doors and strengthened the foundation. Little did he imagine how his daring move could cause the whole structure to weaken and even to crumble, so that a whole new house might have to be built in its place. Within thirty years, the Orthodox Judaism which had previously ruled triumphant stood on the defensive; a Reform movement was in the process of formation, and many were issuing from the tottering house of Judaism never to enter it again. So great was the assault on tradition that Orthodox rabbis sought the help of the Christian king and ministers to put down the revolt from within. They succeeded in part and only temporarily. If the confusion was at times as unedifying as was the debate, out of both there evolved earlier than elsewhere a demystified Judaism, more strictly rational, streamlined and modern, culture- and history-oriented rather than Talmud-centered, and willing to open itself to outside philosophies. At this time, and for a century to come, it was the ferment and tension in German-Jewish life that culminated in the new thinking of Reformers like Holdheim and Geiger, the neo-Orthodox like S.R. Hirsch, and, later, the more systematic thought of Cohen, Rosenzweig and Buber.

It was mostly specialists in religion and Jewish historians—themselves a new and distinctive breed—who alone were fully conscious of the positive changes being wrought. Except for members of the *Culturverein*, such as Heine, Eduard Gans, Zunz and, much later, rabbinically trained writers like Berthold Auerbach and Ludwig Philippson, Jewish creative artists were more under the influence of Fichte and of Hegel than of Geiger,

6. The noted historian, Hanns G. Reissner, “Rebellious Dilemma: The Case Histories of Eduard Gans and Some of his Partisans,” at least hinted at the impossible choices and reactions to the “impasse” (*Leo Baeck Yearbook*, vol. II, 1957, pp. 185–186).



Hirsch and of inter-Jewish debates. They were probably more aware of the confusion of ferment than of any constructive consequences. In his quixotic fashion, Heine praised the stubborn authentic old-type Jew over the new-fangled one whom he himself resembled. On the other hand, the poet Michael Beer—a butt of Heine's wit—detested the rigidly old, the atavistic. Though he was among the few who did not convert, his Jewish interests were below Heine's in scope and depth. But he was, with his father, a noted banker, who opened his home to the first Reform services in Berlin. Throughout the remainder of German-Jewish literary history, writers were divided on favoring the old or new Jew.

The bulk of the mid-century writers, like Auerbach, the many tellers of ghetto tales, like Ludwig Kompert, Aaron Bernstein, S.L. Mosenthal, and the like, tolerated the ways of old because they recognized in them a measure of poetry and charm. They respected them also because they lent to Jewish life a moral grandeur and stability, though not as a way of life for themselves. They were too rooted in the rationalism of the Enlightenment and its aftermath to cling to a Judaism of old.

Clearly, some of the writers were in line with the dominant literary currents of their time, independent of Jewish concerns. Thus, in their works, if not in their own lifestyles, Kompert and other describers of ghetto life, glorified—as did romantics, their contemporaries—the Jewish past, its rich folkways, its distinctive language, its colorful bridal inspection and marriage ceremonial, the depth of feeling and heart. But as the century moved forward and realism and naturalism gained sway, the poetry of ghetto life yielded to its uglier sides. Karl Emil Franzos depicted the Jewish ways (as well as the Ruthenian and Polish ones) of his native Eastern Galicia as riddled with superstition, narrowness, intolerance, in short, as “half-Asian.” Judaism needed to be modernized in Galicia, Westernized, denationalized; Jews needed to become members of the human race and to shed all ceremonial law and customs that did not conform to the rules of reason. Yet Franzos remained a Jew, fought anti-Semitism wherever he found it, and personally assisted in the resettlement problems of Eastern Jews—especially the Rumanians—during the latter decades of the century. Still, there were some Jews who were so incensed by his self-criticism that they asked him to leave Judaism altogether.

Internece fighting seemed, on the whole, a common occurrence on the German-Jewish literary scene. Perhaps it is on any literary scene, at least as a primitive form of feuding. Quite naturally, the proclivity was most perceptible in the defensive-aggressor camps or emanating from them. The Heine-Börne explosion of the 1830s-40s (beyond Börne's death in 1837) was especially unedifying, especially so on Heine's part. Heine's remarks about Michael Beer and his family, many available to the broad public, were a sad commentary on the quality of his human relationships. Auerbach's and Riesser's attacks on Heine, in turn, were also

unfair and bespoke the insecurity in the apologists' ranks. The feuds with other Jews in later decades, involving a Karl Kraus, a Kurt Tucholsky and an Alfred Kerr, were also, at times, the result of pettiness, querulousness and whim rather than of healthy and legitimate differences of persuasion. In the ever-prevailing climate of anti-Semitism, the public spectacles afforded by these polemics served as delightful fare to the Jew-baiters.

From the first, Jewish emancipation efforts were linked to the thought of the Enlightenment and the greater universality and brotherhood that it preached. Except for a handful of Zionist writers (1895–1945), this drive toward the larger unit, toward the open world and broader world-wideness, was in evidence from the beginning. Even among the disciples of Mendelssohn, there was reference to *Weltbürgertum*. While the frantic efforts to prove their Germanness was, as mentioned earlier, a dominant response to the persistent challenge to Jews to prove themselves as Germans (and usually getting a poor grade for effort and achievement), there was also in this response something of the craving for universality. The German unit was larger than the Jewish one; as communications improved, along with transportation, Europeanness as the goal often replaced Germanness, thereby inviting new attacks from the Right. When Socialism promised to become the new universalism, there was no dearth of Jewish writers flocking to its banners. But, except for the Weimar years, when the concessions to *Deutschtum* seemed excessive and silly, the German-Jewish writers, in one way or another, made their obligatory bow to being German in political loyalty, sympathy and culture. But, to judge by their lengthy stays in Paris, Italy, Switzerland and even England, their yearning for the variety of freedoms and equality found outside and, later, the cautious interest of some in the Soviet experiment, proved how far beyond Germany they perceived their intellectual and emotional frontier to be.

The drive toward universality was more, of course, than a subconscious resentment of their ambivalent position in Germany or a manifestation of historic links to the Enlightenment and its ideals. It was more, also, than getting away from the narrow confines of traditional Judaism. When the combination of enlightenment, Mendelssohnian and post-Mendelssohnian syntheses and the winds from France severed the German-Jewish intellectual from his roots, the severance was in all but one particular firm and complete. It led to an alternately healthy or dangerous immersion in new currents which, even in the most general way, promised an amelioration in the human condition. The one particular which remained, though transformed, was a loyalty to a divinity, whether it was socialism, liberalism or pacifism. Jews found themselves in the forefront of most new movements which had an idealistic and universalist component. This would also appear a plausible reason for the observation, by Jews and Gentiles alike, that Jews have tended to be the questioners, critics, disturbers and peace-shaking forces within society.

There is, indeed, little room for speculation about the abyss that separated many Jewish leaders, rootless, divorced from tradition, from the bulk of Jewry, not to speak of other groups in German life. The defensive-aggressors deliberately, and the apologists with partial awareness, encamped in previously uncharted territory: Heine with his hedonism, skepticism, sensuality, seeming anti-Germanism; Börne with his aggressive wit and Jacobinist loyalty to liberalism; Lassalle with his inexplicable life-long struggle for his Countess, his effective organization of socialism, his secret meetings with Bismarck and his self-destructive duel to end it all; Moses Hess with his socialism fused with pre-Zionism; the rational "Westernism" of a Karl Emil Franzos; the gentle internationalism and pacifism of a Stefan Zweig; the odd but impassioned monarchism of Joseph Roth; the revolutionary fervor, after a previously equally fervent patriotism, of an Ernst Toller; the Marxist radicalism of a Rosa Luxemburg; the often wild striking-out at cultural idols of Tucholsky and Kraus; the moderate socialism of Arnold Zweig who turned to party-line Communism, after a disastrous flirtation with Zionism and the physical reality of Israel. Far more implausible than all of these was the absurd *Deutschtum* of a Rudolf Borchardt, though it was, to be sure, a fairly isolated phenomenon.

Very few writers wished to be counted among those who placed their Jewishness on a par with, or above, other aspects of their identities. Frequently, a great stress on Jewishness was an invitation to early literary oblivion. Even among cultured Jews, too much Jewishness was hardly fashionable; Richard Beer-Hofman may be remembered in the future as the friend of other famous Viennese Jews, and Max Brod as the executor of Kafka's will, but affirmative Jewishness was an uncomfortable position and hardly likely to gain critical applause. There was the compensating fact, however, that the tensions born of victimization and marginality were conducive to far greater achievement in Germany than anywhere else, with the possible exception of post-World War II America.

In the course of writing about Jewish experience in the past two centuries, authors shifted their emphasis. Thus, between 1840 and 1870, ghetto narrators like Kompert, Kulke, and others were intent upon showing the Jew as virtuous. (If he was not, he was seen at least on the road to virtue.) They depicted him in friendly co-existence with any Christians who gave him a half a chance. As apologists they pointed gentle blame at Christians who were adamant in their dislike of Jews. Nevertheless, as apologists, they were eager to have Jews alter their ways, to become physically strong. Toward this goal, they extolled the beauties of living on the land and tilling the soil. In the process, they occasionally distorted reality by showing most peasants as simple, friendly and cooperative in nature and, except for their old and established prejudices, not dangerous to Jews. The tellers of ghetto tales were also intent upon proving to Jews and others that their heroes could be soldiers, farmers, artisans—in

short, that they could get away from *hausieren*, i.e., door to door peddling, other forms of petty commerce, and flagrant money concerns in general. They grasped well enough the reasons behind Jewish resistance to military service—conflict with the Sabbath, dietary laws, anti-Semitism, a mother's fear for a Jewish child who, unaccustomed to physical rigors, was suddenly exposed to them, but virtually all of the ghetto narrators, whether sympathetic like Kompert or harshly critical like Franzos, went to great lengths to describe the anticipation of the annual draft. Curiously, Kompert, who was understanding of Jews, condemned the desire to evade; Franzos, who deglamorized the ghetto, seemed tolerant of those who were reluctant to enter the strange and hostile environment of military life.

Closely allied to the ghetto narrative in themes and in didacticism was the historical novel which had its beginnings as the ghetto novel faded (1860 and later). Heine had already contributed his magnificent fragment of *The Rabbi of Bacharach*. Unfortunately, others who ventured into this terrain were less gifted. They, too, praised the beauties of the Sabbath, when every Jew regained his dignity for a day; they, too, chanted of moral virtues such as the sense of sharing, of community enterprise, of sacrifice, of disciplining bodily appetites, of observing ethical laws alongside the ceremonial ones. They, too, in their historical setting, stressed Jews as physical heroes, outstanding as soldiers, or in agricultural achievement. In a broad sense, the historical novels of Auerbach, Mosenthal, M. Lehmann, *et al*, are ghetto novels transplanted to another time and place. When they were written by a rabbi such as the distinguished Ludwig Philippson, they also sought to give lessons in both history and morality. Philippson was eager to popularize heroes of the mettle of Abravanel and used the form of the historical novel for a dual purpose: to release tensions in the Jewish psyche and to bring to the attention of readers some of the recent scholarly historical findings. What all historical novelists stressed again and again were the heroic Jewish attempts to resist forced conversions to either Christianity or Islam. Not even the chance to become a princess and truly get a Prince Charming would induce a Jewish orphan girl at court to eat *treif*. Besides showing the influence of the ghetto novel, the historical fiction of the century is a belated imitation of Walter Scott and Alexandre Dumas *père*.

In the twentieth century, the historical novels of Jews transmute themselves into political ones. Often, as with Lion Feuchtwanger, the past became merely a means of illuminating the present, of lending it distance and perspective. Thus, the historical novel served as a means of studying the polarities of our time: political democracy vs. totalitarianisms, especially Communism; nationalism vs. internationalism; sectarianism vs. universalism; inner peace vs. revolution; the artist vs. the bourgeois. The heroes are mostly Jews and the events depicted are seen through their eyes. But they are Jewish not because the authors have an abiding or

intrinsic interest in the Jewish question—which they now see as part of larger problems—but because Jews are the people whom the authors know best. Of the positions assumed by the authors, the stances characteristic of Jews in modern politics are generally favored: democracy over authoritarianism (with the Soviets occasionally a “necessary” exception); socialism over capitalism; cosmopolitanism over tribalism; universalism over sectarianism; the artist over the bourgeois; and, perhaps, though not always, evolution over revolution. Except for the most timid apologetic souls, Jewish writers of this century—and never more than during the Weimar years—cast their vote against the Establishment which, after all, still refused to authenticate their Germanness or accept their Jewishness. The aggressors had come to accept with greater equanimity the fact that they would be regarded as the carriers of an alien spirit on holy German soil and that the Establishment rued the day when rights had been granted to Jews. The apologists, while still on the scene, had their voices drowned out by those who no longer cared whether they were viewed as Germans or not. These latter still saw themselves as Germans, but often they were ashamed of this part of their identity. Being German had lost the lure it had had a hundred years earlier. Defiance had won out over beseeching.

These changes did not materially affect the relationship between Jewish and non-Jewish writers which had grown warmer with the decades, but it did worsen the reactions to them as Jews on the part of the ever more radicalized nationalist public. The experience of a century and a half had made it clear that, in any case, the dual objective would not be achieved and that the Jew might as well be himself and keep his self-respect.

# *The Interaction of Jewish Law With Morality*

ELLIOT N. DORFF

See, I have imparted to you laws and rules, as the Lord my God has commanded me, for you to abide by in the land which you are about to invade and occupy. Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who, on hearing of all these laws, will say, "Surely, that great nation is a wise and discerning people." For what great nation is there that has a god so close at hand as is the Lord our God whenever we call upon Him? Or what great nation has laws and rules as perfect as all this teaching that I set before you this day?

Deuteronomy 4:5-8

The law of the Lord is perfect, restoring the soul; the testimony of the Lord is sure, making wise the simple.

The precepts of the Lord are right, rejoicing the heart; the commandment of the Lord is clear, enlightening the eyes.

The fear of the Lord is pure, enduring forever; the judgments of the Lord are true, they are righteous altogether.

Psalms 19:8-10

IN A SENSE, THE QUESTION TO WHICH THIS paper is addressed would have been an enigma to the people of the Bible. As the citations above indicate, it was assumed that God's commandments include all of the true moral values and formulate them in a way that is superior to the codes of all other nations. In fact, God demands of the Jews more than the generally recognized requirements of morality: their chosenness consists precisely in the fact that they are under obligation to be especially sensitive and good, to be, in the words of Second Isaiah, "a light unto the nations."<sup>1</sup> Even the non-Jews, according to the passage from Deuteronomy, would recognize the moral superiority of God's laws—if not the moral superiority of God's people! Consequently, on first glance it seems that, in the eyes of the Jewish tradition, the relationship between Jewish law and morality is a simple one: God's laws represent the clearest, most authoritative, and most advanced articulation of what it means to be moral.

Upon closer examination, however, we find that the relationship

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1. Isaiah 42:6, 49:6; cf. Amos 3:2.

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between Jewish law and morality is considerably more complex than these sources would lead us to believe. Part of that complexity is a relatively recent development, since the competing moral systems of many societies in the last several centuries are no longer so obviously inferior to Jewish law; on the contrary, for many Jews it is Jewish law which sometimes seems morally backward. But the problem is not just a function of modern conditions; within the classical formulations of Jewish law themselves we already can see the limits of the above analysis and the extent to which it must be revised and augmented.<sup>2</sup>

#### *A) Morality Beyond the Scope of Jewish Law*

That Jewish law presupposes a realm of morals independent of Jewish law itself is clearly indicated by the theodicies in the Bible and Talmud which make sense only if one assumes the existence of a standard of justice to which God Himself is bound. It is also indicated by the attempts of the Rabbis of the Talmud and the Middle Ages to rationalize Jewish law as a whole, or segments of it, in terms that would be acceptable to non-observant Jews and to non-Jews, for those attempts are understandable only if one assumes the existence of independent standards of judgment. These uses of separate criteria to justify either the Author or the substance of Jewish law do not affect its actual operation, however, because, ultimately, the Jew is bound to believe in God and to obey His law whether or not he understands God's actions or the reasons for His demands. In fact, the Rabbis saw it as a distinguishing mark of the Jew that he was ready to believe in God and accept His demands despite an inability to understand either in generally accepted terms.<sup>3</sup>

Consequently, it is more important to turn our attention to the ways in which moral considerations influence the formulation and practice of Jewish law *internally*. When we do so, we find that there are a number of complementary concepts within it which delineate the depth and breadth to which moral concerns permeate it.

The first is *kofin al middat S'dom*, "we coerce (a person to act otherwise) over a trait of Sodom."<sup>4</sup> The Mishnah identifies that trait as the attitude of the ordinary person who says "Mine is mine, and yours is yours."<sup>5</sup> "The trait of Sodom," thus, broadly denotes attention to one's private concerns and domain to the exclusion of others. The person who acts this way may simply be insisting on what is legally his, but Jewish law specifically would force him to care for others as well, for, as one of the commentators says,

Even though such a person equates his friend with himself, as the Torah enjoins, "Love your neighbor as yourself" (Lev., 19:18), nevertheless,

2. Throughout this paper I will be using "law" to refer to norms that can be enforced in court and "morals" to refer to norms that are not actionable in that way.

3. Cf. *Mekhilla* on Ex. 20:23 (ed. Lauterbach, II, 277) and *Yoma* 67b (from the *Sifra*).

4. *Eruvin* 49a, *Ketubot* 103a, *B.B.* 126, 59a, 168a.

5. *Avot* 5:10.



through such conduct the love between a man and his friend would be destroyed, just as in Sodom they refused hospitality to guests even though they knew that the guests would reciprocate in kind in their own state.<sup>6</sup>

The phrase "trait of Sodom" is used especially when one refuses to do a favor for another even though it would be at no cost to oneself. The Rabbis, however, did not restrict themselves to such cases; they forced people to carry out their moral obligations even when that entailed extra cost as well. Since these moral obligations demanded more than the law required of a person, the Rabbis could not issue a court order for such action. Instead, they used social pressure. So, for example, even though the Rabbis could not legally force a man of means to give charity or to sustain his daughters during his lifetime, they were prepared to embarrass him publicly if he refused because they considered these obligations to be obvious moral ones.<sup>7</sup>

Similarly, divorce proceedings could be initiated only by the husband and manumission of slaves could be done only by the owner himself, and in both cases the law required that the husband or owner act willingly. But when the husband or owner violated the rights of the wife or slave, the Rabbis blithely determined that "We force him until he says, 'I am willing!'"<sup>8</sup> Thus, there are clear examples of cases where the Rabbis felt the moral obligation so strongly that they were prepared to compel a person to act compassionately beyond the minimal requirements of the law.

That position, however, can be dangerous. After all, one of the functions of the law is to delineate what one can be compelled to do and what not, and compulsion beyond that point, however benignly intended, threatens the social order. Moreover, morality is at least partly a function of intention, and compelling conduct in accordance with the dictates of morality, however clear, incurs the danger of obliterating the moral character of the actions.

The Rabbis were well aware of this possibility and, consequently, developed other ways to express their displeasure with a strict insistence on one's rights under the law. For example, in Jewish law, the acquisition of movable property is effected only through the transfer of the object from the seller's domain to that of the buyer, either actually or symbolically. Until it takes place, either party may legally withdraw from the transaction. The Mishnah, however, recognizes a moral obligation to stand by one's word as soon as the buyer pays for the object, and it invokes a curse against the party that reneges at that stage of the transaction.<sup>9</sup> R. Simeon goes even further by claiming that moral responsibility to consummate a transaction begins once the parties have come to a verbal

6. *Tiferet Yisrael* on *Avot* 5:10

7. *Ketubot* 49a, 49b.

8. *Sifra*, *Vayikra*; *Kiddushin* 50a, *B.B.* 48a, *Arakhin* 21a.

9. *B.M.* 4:1 (44a).

agreement; if either party retracts after that, “the spirit of the Sages is displeased with him.” The Mishnah’s curse (in an expanded form) is invoked when there is both verbal agreement and payment of money (although not transfer of the object), for the payment adds a further commitment to carry out the transaction; the legal right to withdraw until the object is transferred is “only the law”:

R. Simeon said: Though the Rabbis ruled that the delivery of a garment acquires the gold *dinar* [when one is bought for the other], but not *vice versa*, that, however, is only the *halakhah* [the strict application of the law], but they also said, He who punished the generations of the Flood and of the Dispersion, the inhabitants of Sodom and Gomorrah, and the Egyptians at the sea will exact vengeance of him who does not stand by his word. He who enters a verbal agreement effects no title; yet if either party retracts therefrom, the spirit of the Sages is displeased with him.<sup>10</sup>

Here we see a clear recognition of moral obligation beyond the scope of responsibility as set by the law and two means, short of actual coercion, to prompt people to act in accordance with those moral obligations, i.e., the opprobrium of being formally cursed in court, and the lesser, but important, stimulus of informing one who breaks his promise that he is a source of shame to the Jewish community.

All of the concepts discussed above are negative: they denote coercion of various degrees applied to someone who is acting improperly. Jewish law also (indeed, more often) accentuates the positive in trying to encourage people to act *lifnim mishurat hadin*, beyond the requirements of the law and, indeed, expected Jews to do so:

Rav Yohanan said: “Jerusalem was destroyed because its inhabitants judged in accordance with Torah law within it.” Well, should they rather have followed the law of the Magians?! Say, rather, “because they based their judgments solely upon Torah law and did not act *lifnim mishurat hadin*.”<sup>11</sup>

Nahmanides spells this out positively and more specifically. In explaining the verse in Deuteronomy 6:18, “and you shall do the right and the good,” he says:

This refers to compromise [rather than judgment according to strict law] and conduct *lifnim mishurat hadin*. The intent of this is that initially [in Deuteronomy 6:17] He had said that you should observe the laws and statutes which He commanded you. Now, He says that, with respect to what He has not commanded, you should likewise take heed to do the right and the good in His eyes, for He loves the good and the right. This is a great matter, for it is impossible to mention in the Torah all of a person’s actions toward his neighbors and acquaintances, all of his commercial activity, and all social and political institutions. So, after He had mentioned many of them

10. *Tosefta B.M.* 3:7, B.T. *B.M.* 48a.

11. *B.M.* 30b. For other examples of acts displeasing to the Sages, cf. *B.B.* 8:5, *Kid.* 17b, *B.K.* 94b, *B.M.* 48a.

... He resumes to say generally that one should do the right and the good in all matters through compromise and conduct *lifnim mishurat hadin*.<sup>12</sup>

The degree of legal obligation entailed in acts beyond the strict requirements of the law is a matter of dispute among the medieval commentators. The Gemara itself records one case wherein Rav held that conduct beyond the strict requirements of the law was actionable because it was, in fact, the law!<sup>13</sup> He based his decision on Proverbs 2:20, "That you may walk in the way of good men and keep the path of the righteous." Maimonides, Nahmanides and others base the obligation on either Deuteronomy 6:18, quoted above, or Leviticus 19:2, "You shall be holy, for I, the Lord your God, am holy—" the *locus classicus* for the notion of *imitatio dei*. The rabbis actually legislated two rules on the basis of the need "to do the right and the good,"<sup>14</sup> but, in general, all such actions were simply left to the discretion and good will of the individual.

The most wide-ranging term for extra-legal obligations is *derekh erez*, which is used for everything from social conventions to the highest moral values. The Rabbis said of such extra-legal obligations that "Without Torah there is no *derekh erez*, and without *derekh erez* there is no Torah."<sup>15</sup> Perhaps a delineation of the ways in which they sought to inculcate moral sensitivity and conduct will indicate exactly how serious they were when they made such statements.

### B) Morality Within Jewish Law

The Rabbis were aware of the limits of the law, but the vast majority of their efforts were devoted to developing it so that it permeated all areas of life. How, then, does morality affect the formation and application of Jewish law?

At first glance we find no obvious place for moral input except at the beginning. God gave the law and, since God is good, His law is good, as the opening verses from Deuteronomy and Psalms proclaim.<sup>16</sup> After the giving of the law, however, all decisions are to be made in accordance with it, whatever human beings may think of the morality of the resulting

12. Nahmanides, *Perush LaTorah*, on Deut. 6:18. Cf. also the similar notion of *middat hassidut* (a measure of piety) in *Hullin* 130b, *B.M.* 52b, etc., and its contraries, *minhag ramaut* (the behavior of a cheat, *Kid.* 59a) and *yesh bahem mishum mehusarai emunah* (they are untrustworthy, dishonest, in *B.M.* 49a, *Bekh.* 13b). Similarly, morally good acts beyond legal requirements are sometimes described as being "acts pleasing to the Sages" (e.g. *Shvi'it* 10:9).

13. *B.M.* 83a.

14. *B.M.* 35a, 108.

15. *Avot* 3:17. Cf. also *Ibid.* 2:2 and *Vayikra Rabbah* 9:3 (*Zav*). On the term *derekh erez*, cf. *Encyclopedia Talmudit*, Vol. 7, pp. 672-706.

16. We are leaving aside questions of theodicy and the relationship between God and morality because those issues really do not affect the internal operation of Jewish law. Jewish theological reflection certainly deals with those questions; the legal system however, is based totally on the assumption that God and God's laws are good, whatever our qualms, and it is that assumption which gives it its *raison d'être*.

decisions. Jewish law must operate that way if it is to retain its claim to divine authority and if it is to give people the security of knowing what is expected of them and what they can expect of others, but that does seem to preclude revisions of the law for any reason, moral or otherwise. Nevertheless, such revisions have taken place.

In Jewish law, as in other legal systems, the need for continuity must be balanced with the need to adapt to new conditions, lest the system fall into disuse. Deuteronomy twice closes off legislative means of adaptation, but it also ordains the appointment of judges in each generation<sup>17</sup> and, as anyone familiar with law knows, change can be effected by judicial means as extensively as it can through legislative procedures if the judicial mandate is interpreted broadly enough. In view of the legislative prohibition in the Torah, the right to apply the law judicially was, indeed, thus interpreted by the Rabbis—even to the extent of authorizing them to issue legislative decrees from time to time as part of their judicial function of applying the law to their generation. Similarly, in the process of judging cases, even though, theoretically, all decisions are dictated by precedent, judges can, in fact, justify almost any decision they choose to make by construing the available precedents either broadly or narrowly, as their predilections dictate. Consequently, in both the Jewish and secular legal systems the formation and application of the law theoretically follows in one, neat, determined line from the original documents of the system to the specific case before the court, but, in practice, the laws and precedents change with the necessity of circumstances. That may be disconcerting from a logical point of view, but it is the only way that the twin needs for continuity and for change can be reconciled.

In view of this, it should not be surprising that moral considerations often significantly influenced the formation and application of Jewish law. To see exactly how this was so, we should distinguish several cases:

(1) The Bible is revered as much as it is, partially because it does proclaim lofty moral values and laws that effectively concretize those values. In cases where the Bible establishes rules which are recognized by the current generation as morally sound, the function of Rabbinic jurisprudence is simply to publicize those rules and to extend them to new situations in order to make them as effective as possible.

(2) In many areas the Bible simply did not legislate very much, as for example in family law, where virtually the entire body of Talmudic legislation is a product of the Rabbis. In many areas of civil law, too, the Rabbis found it necessary to rule on a whole host of cases not covered by the Bible. In such circumstances, like judges everywhere, they decided disputes on the basis of their own best evaluations of equity, guided in a very general way by the moral principles and legal practices in related fields of Jewish law. Their authority was based upon the authorization in

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17. Deuteronomy 4:2; 13:1; 17:8–13. Cf. also Ex. 18 and Ezra 7:25–26.

Deuteronomy 17 and in the general principle of equity in Deuteronomy 6:18, "Do what is right and good in the sight of the Lord." Their decisions have become precedents and, ultimately, an entire corpus of common law has developed, thereby extending the general principles of Jewish law to totally new areas.

(3) At times, rules announced in the Bible are in conflict with the moral sensitivities of a new generation. This should not surprise anyone who takes an historical view of the texts of Judaism, for it is perfectly understandable that the methods used to concretize moral values in one generation—and even the values themselves—might seem inefficient or barbarian to a subsequent one. Nevertheless, here is obviously the most problematic way in which Jewish law interacts with morality, and it is precisely in such cases that the considerations which I raised above come to bear. Specifically, in order to retain the claim of Jewish law to divine authority, the Rabbis tried as much as possible to preserve the link of their rules to the Torah, much as American judges do *vis-à-vis* the Constitution. But when a Biblical law became morally objectionable, they used all of the standard legal techniques to get around it.

- a) The most common method was to surround the objectionable law with restrictions so that, in effect, it becomes inoperative. Thus, the Rabbis constructed rules of evidence and judicial procedures which make it virtually impossible to effect the numerous Biblical prescriptions of capital punishment, and they instituted constructive conditions around marriage and divorce so as substantially to abridge the powers that the Bible gives to the husband in divorcing his wife and in order to protect her legitimate interests.
- b) Sometimes the Rabbis deliberately misinterpreted a Biblical verse which they found morally objectionable. The most famous example is their understanding of an "eye for an eye" as requiring monetary compensation instead of the actual eye. They give ten separate proofs for that exegesis,<sup>18</sup> some of them quite ingenious, thus demonstrating that they themselves were aware of what they were doing. If they really thought that the verse means monetary compensation, one or two proofs would have sufficed.
- c) At times they instituted legal fictions in order to get around a law. A famous example is Hillel's *Prosbol*, which circumvents the Biblical cancellation of debts during the Sabbatical year so that creditors would not be afraid of lending money to needy borrowers in the fifth and sixth years of the Sabbatical cycle.<sup>19</sup>
- d) When the Rabbis were really hard pressed, they would issue a *takkanah*, an "amendment," in which they openly and directly changed the law. This method was dangerous, since it tended to

18. B.K. 83b–84a.

19. Gittin 34b, 36a.

undermine their authority by severing the connection to the basis of that authority in the Torah. But when historical circumstances required extraordinary measures, such decrees were issued, and they occurred more often than one would expect.<sup>20</sup> These included enactments in almost all areas of Jewish life, including family law, (e.g., the decrees forbidding polygamy and divorce against the woman's will), civil matters (e.g., establishing taxes, weights and measures, and property rights), moral issues (e.g., protecting the privacy of letters, forbidding the insulting of penitent converts), and even criminal legislation, prescribing flogging and even death for certain crimes.

The obvious issue in all of these methods is the question of authority. After all, if the Rabbi could take such liberties with the Biblical text, even for moral reasons, in what sense was it still God's law?

The Rabbis were completely aware of the problem and faced it directly. On the one hand, they claimed that when the Torah was revealed at Sinai, all of the common law traditions contained in the Oral Law and even all of the questions that any student was ever to ask his teacher were revealed to Moses at the same time.<sup>21</sup> This was the extreme position on behalf of the value of continuity. On the other hand, they were also fully aware that the law had changed a great deal in the course of time, so much so that Moses could not even understand the Law as it was understood in R. Akiba's academy.<sup>22</sup> Moreover, they asserted their own authority in determining the substance of the law in each generation and understood that it had to be thus lest the Law not endure:

If the Torah had been given in a fixed form, the situation would have been intolerable. What is the meaning of the oft recurring phrase, "The Lord spoke to Moses?" Moses said before Him, "Sovereign of the Universe! Cause me to know what the final decision is on each matter of law." He replied, "The majority must be followed: when the majority declares a thing permitted, it is permitted, and when the majority declares a thing forbidden, it is forbidden, so that the Torah may be capable of interpretation with forty-nine points *pro* and forty-nine points *contra*."

Moreover, they were aware that many positions could be justified within the law and that ultimately the correctness of a decision depended upon the moral character of the judges:

20. Cf. Menachem Elon, *Jewish Law: History, Sources, Principles* (Jerusalem: Magnes Press, 1973), chs. 14-16 (in Hebrew, but recently published in an edited, English edition); Louis Finkelstein, *Jewish Self-Government in the Middle Ages* (New York: Jewish Theological Seminary of America, 1924), and the articles "Takkanot" and "Takkanot Ha'Kahal" in the *Encyclopedia Judaica*, vol. 15, pp. 712-737.

21. *Tanḥuma* Buber, *Ki Tissa*, 58b; cf. P.T. *Peah* 17a, Num. R. 14:4, and *Men.* 29b.

22. *Men.* 29b.

23. P.T. *San.* 22a; cf. also *B.M.* 59b and *Tanna d'Be Eliyahu Zuta*, Ch. 2.

R. Akiba stated in the name of Samuel: For three years there was a dispute between Bet Shammai and Bet Hillel, the former asserting, "The law is in agreement with our views," and the latter contending, "The law is in agreement with our views." Then a heavenly voice announced, "The utterances of both are the words of the living God, but the law is in agreement with the rulings of Bet Hillel." Since, however, "both are the words of the living God," what was it that entitled Bet Hillel to have the law fixed in agreement with their rulings? Because they were kindly and modest, they studied their own rulings and those of Bet Shammai and were even so humble as to mention the opinions of Bet Shammai before theirs.<sup>24</sup>

They claimed that all of this exegesis carried Divine authority because, once the First Temple was destroyed, prophecy ceased and was replaced by the methods of interpretation used by the Sages.<sup>25</sup> Indeed, they even maintained that "matters that had not been disclosed to Moses were revealed to R. Akiba and his colleagues,"<sup>26</sup> that, in other words, this development of the law was the way in which God revealed His will in each generation. This view is acceptable only if the bulk of the tradition is maintained in each generation and changes occur "organically," to use Dr. Kadushin's suggestive terminology;<sup>27</sup> but deliberate changes did take place and were considered divinely authorized—indeed, the only way in which God's will could take effect in our day.

Consequently, when there were conflicts between the law and the moral perceptions of the leaders of a generation, the leaders could, and did, use any of the above methods to circumvent or change the law. The process was usually undertaken with a great deal of care and with the greatest possible retention of the Tradition in order to preserve Divine authority and legal continuity and, hence, one can often hear claims that the law is morally backward. This, however, is very much a matter of degree and temperament, for what is an absolutely necessary adjustment in the law for one is a rash prostitution of it to the temper of the times for another. Would that we had the wisdom and virtues attributed to Bet Hillel in their time in making such decisions.

### C) *Contributions of Jewish Law to Morality*

Discussions of the interaction between law and morality often center on the ways in which law takes account of morality, as if morality were the standard of judgment and law must be on the defensive. But the interaction works in both directions, and I would now like to turn to the ways in which law—and, specifically, Jewish law—contributes to morality.

1) The most obvious contribution is simply that law establishes a

24. *Eruv*. 13b.

25. *B.B.* 12a.

26. *Num. R.* 19:6.

27. Max Kadushin, *The Rabbinic Mind* (New York: The Jewish Theological Seminary of America, 1952), Chs. 2, 4, 7.



minimum standard of practice. This is important from a moral standpoint because many values can be realized only through the mutual action of a number of people, and a minimum moral standard which is enforced as law enables the society to secure the cooperation necessary for such moral attainment. Furthermore, there is an objective value to a beneficent act, whether or not it is done for the right reason.

In spelling out minimal standards of moral conduct, there is always the danger that people will interpret the minimum requirements legalistically as the total extent to which they need to extend themselves for others. That, however, would involve a serious blindness to the realm of morality which would probably not be cured by removing the legal trappings from the minimum standards. Moreover, Judaism guards against such an abuse through its requirements of public and private study of the Bible and other morally enriching literature, through the liturgy and sermons, and through making the minimal requirements of action rather demanding in the first place.

2) It is not just on a minimal level that law is important for morality; law is crucial at every level of moral aspiration in order to translate moral values into specific modes of behavior. The Prophets enunciated lofty values, and we rightly feel edified and uplifted when we read their words or those of other great moral teachers in other generations. At the other end of the spectrum, when we hear “fire and brimstone” sermons or go through the painful self-examination of a confessional procedure such as Yom Kippur, we come away feeling chastened and purified. But the vast majority of life is lived between those two extremes of moral awareness as we pursue our daily tasks. Consequently, if that edification or chastening is to contribute to a better world in any significant way, it must be translated into daily activities. We ordinarily do not have sufficient time or self-awareness to think seriously about what we are doing and, hence, a regimen of specific laws which articulate what we should do in a variety of circumstances can often enable us to act morally when we might not do so. Morris Adler has articulated this point well:

Religion is not a matter of living on the “peaks” of experience. This is for the saint and the mystic. More fundamentally, religion must mean transposing to a higher level of spiritual awareness and ethical sensitivity the entire plateau of daily living by the generality of men. Idolatry is defeated not by recognition of its intellectual absurdity alone, but by a life that expresses itself in service to God. Selfishness and greed are overcome not by professions of a larger view but by disciplines that direct our energies, our wills, and our actions outward and upward.<sup>28</sup>

3) Until now we have spoken about areas in which the moral norm is more or less clear and the problem is one of realizing it. There are many situations, however, where there is a conflict of values and it must be

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28. Morris Adler, *The World of the Talmud* (New York: Schocken, 1963), p. 64.

determined which will take precedence and in what circumstances. Non-legal moral systems usually offer some mechanism for treating moral conflicts, but they often depend on the sensitivity and analytic ability of the individual. By contrast, the law provides a format for deciding such issues *publicly*, thus assuring that many minds of varying convictions will be brought to bear on the issue. This procedure does not guarantee wisdom, but it does at least provide a greater measure of objectivity and, hence, a more thorough consideration of the relevant elements.

4) Issues are often joined more clearly in court than they are in moral treatises because the realities are more dramatically evident there and a decision must be reached. Moral essayists or theorists, on the other hand, do not face the immediate responsibility of having people act on their decisions and, hence, they tend to be somewhat "ivory-towerish." Actually, much of the sheer wisdom of our tradition can be attributed to the fact that the Rabbis served as judges as well as scholars and teachers.

5) Because law operates on the basis of precedent, there is a greater sense of continuity in a moral tradition that is structured legally than in one which is not. After all, one of the things that we seek in creating a legal system in the first place is the security of knowing what will be expected of us, and that is achieved in law by the methodology of *stare decisis*, "it stands decided." On the other hand, through legal techniques like differentiation of cases, the law preserves a reasonable amount of flexibility and adaptability. By contrast, moral decisions made on the basis of conscience often have little public effect or staying power, while moral decisions made on the basis of natural law or divine law lack sufficient malleability to retain relevance to new situations and to take advantage of new knowledge. A legal tradition, for all of its problems in practice, attains the best balance that can be achieved between tradition and change.

6) The law serves as an educational tool for morality as well. Theories of education are obviously many and diverse, but the Jewish tradition has a clear methodology for moral education:

Rab Judah said in Rab's name: A man should always occupy himself with Torah and good deeds, though it is not for their own sake, for out of (doing good) with an ulterior motive he will come to (do good) for its own sake.<sup>29</sup>

This largely behavioristic approach to moral education was not totally so: study of the Tradition is also an integral part of Jewish moral education. But, in the end, the emphasis is on action:

An excellent thing is the study of Torah combined with some worldly occupation, for the labor demanded by both of them causes sinful inclinations to be forgotten. All study of the Torah without work must, in the end, be futile and become the cause of sin.<sup>30</sup>

29. *Pes. 50b, et al.*

30. *Avot 2:1.*

The same educational theory is applied to moral degeneracy and repentance:

Once a man has committed a sin and repeated it, it appears to him as if it were permitted.

Run to fulfill even a minor precept and flee from the slightest transgression; for precept draws precept in its train, and transgression draws transgressions.

If a transgression comes to a man a first and second time without his sinning, he is immune from the sin.<sup>31</sup>

If one accepts this approach to moral education in whole or in part, the formulation of moral norms in terms of law is very important educationally, for in doing so you *require* people to act in accord with moral rules as a step in teaching them how to do the right thing for the right reason.

7) Finally, law is important as a means of preserving the integrity of moral intentions themselves because those intentions can be clarified and verified only in action. Abraham Joshua Heschel has articulated this point well:

The dichotomy of faith and works which presented such an important problem in Christian theology was never a problem in Judaism. To us, the basic problem is neither what is the right action nor what is the right intention. The basic problem is: what is right living? And life is indivisible. The inner sphere is never isolated from outward activities . . .

It would be a device of conceit, if not presumption, to insist that purity of heart is the exclusive test of piety. Perfect purity is something we rarely know how to obtain or how to retain. No one can claim to have purged all the dross even from his finest desire. The self is finite, but selfishness is infinite.

God asks for the heart, but the heart is oppressed with uncertainty in its own twilight. God asks for faith, and the heart is not sure of its own faith. It is good that there is a dawn of decision for the night of the heart; deeds to objectify faith, definite forms to verify belief.<sup>32</sup>

Concretizing moral values in the form of law is, thus, an important method for testing the nature and seriousness of our intentions so that we may avoid hypocrisy. It also graphically shows us the effects of our intentions, so that we will alter those which are knowingly or unknowingly destructive. Law brings our intentions out into the arena of action, where we can see them clearly and, if necessary, work with them.

In all of these ways, then, law contributes to morality and the interaction between them has an influence in both directions. This is especially important when we are trying to understand Judaism, which went so far in trying to deal with morality in legal terms.

31. *Yoma* 86b; *Avot* 4:2; *Yoma* 38b.

32. A.J. Heschel, *God in Search of Man* (New York: Harper and Row, 1955), pp. 296–297.

# *The Dance of The Dybbuk*

SHERYL A. SPITZ

THE DYBBUK IS A VERITABLE MUSEUM OF Eastern European Jewish life and lore, the fruit of S. Ansky's extensive work as an ethnologist among Jewish communities in the Ukrainian provinces of Volhynia, Podolia, and Kiev in the early 20th century. In writing his play, Ansky was attempting to interpret in dramatic form what he perceived to be major themes in the Jewish folk life of Eastern Europe, particularly among the Hasidim. An important aspect of this folk life was the role played by the dance. In the second act of *The Dybbuk* it appears as an important dramatic element as well as a traditional aspect of Jewish folk life. This paper will attempt to define the ways in which the dance functions on both levels within the play.

A brief outline of the plot is necessary as a background to further discussion. *The Dybbuk* tells the story of two lovers, Khanan and Leah, destined for marriage by a contract drawn up by their parents before the children are even conceived. This act of temerity has far-reaching consequences for every one concerned. Khanan's father dies in a distant land, leaving his son to pursue his destiny as best he can. For Khanan, it means a journey as a beggar and submergence in study of the Kabbalah. At last, Khanan wanders into the town in which Sender, the father of Leah, and a man of wealth and position, makes his home. Sender, however, violates his contract with Khanan's dead father, ignoring the young man (whom he later claims not to have recognized) and considering bridegrooms who will give his daughter a more secure future. Leah is strangely attracted to the young yeshivah student, who, in turn, tries to win her by Kabbalistic means, but their tentative romance is soon subverted. Leah's father has arranged a match for her with the son of a wealthy family from a distant town. Upon hearing of this development, Khanan dies of shock (or, as one critic suggests<sup>1</sup>, of the shattering of his faith in his own powers, derived from his study of the Kabbalah, to bring about the fulfillment of his own destiny). Deprived of the chance of fulfilling his destiny in this life, Khanan pursues his fate in the next life. He enters his predestined bride in the form of a wandering soul, a *dybbuk*,<sup>2</sup> on the very day of her wedding.

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1. See S. Morris von Engel's Introduction to his translation of S. Ansky's *Der Dybbuk: The Dybbuk; Between Two Worlds* (Winnipeg, 1953).

2. For an extensive discussion of the concept of the *dybbuk*, see Gershom Scholem's article in the *Encyclopedia Judaica*, vol. 6, (New York: Macmillan Co., 1971).

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The possessed girl is brought to a wonder-working *rebbe* in a neighboring town and a trial is held to determine the reason for her plight. Khanan's dead father is summoned to face Sender in court, where the story of the contract comes out and a penance is imposed upon Sender for violating it. Then an exorcism is performed by the *rebbe* and the town elders, and Khanan's soul is driven from Leah's body. It hovers near her, however, as she stands in a magic circle, awaiting the arrival of her earthly bridegroom. In the end, the destiny imposed upon the young couple by the contract proves stronger than the *rebbe's* protective magic. Leah voluntarily steps out of the magic circle and merges her soul with that of her predestined lover, accomplishing the fulfillment of her fate at the cost of her life.

The plot of *The Dybbuk* reveals two principle ideas around which the play is organized: responsibility and the *sitra ahra*, the "other side." Both of these ideas were prevalent in the folk culture of the Hasidim of Eastern Europe. The theme of responsibility applies particularly to the two leading male characters, Khanan and Sender, who complement each other, much as their interests conflict, for while Khanan indulges in intellectual excesses, Sender is overly cautious in providing for the material welfare of his only daughter. Sender's major act of irresponsibility is, of course, the drawing up of the contract, an act which predetermines the fate of souls yet unborn. Khanan seems to play the role of the sorcerer's apprentice with his dabbling in the mystical doctrines of the Kabbalah. The motif of the *sitra ahra* is related to the theme of responsibility. The "other side" is the realm of demons and the unquiet dead which Khanan's wandering soul inhabits when it is suddenly torn from his body. The *sitra ahra* is a ubiquitous complement to the world of orderly everyday existence, sanctioned by the Law. Any departure from the ordered path invites the intrusion of the "other" side into "this" side and a disruption of the natural balance of the universe. Each individual is, thus, responsible for maintaining the balance of existence by his orderly conduct. When he violates the established order, he risks overturning the harmony of the world. Thus it is that Sender and Khanan, by their actions, cause a major upheaval which encompasses not only each other's lives, but, also, the lives of two towns and the world of the dead before the tide can be stemmed in a Talmudic court of law. In *The Dybbuk*, the dance is the focal point of this upheaval, the occasion of the intrusion of the *sitra ahra* and the capitulation of orderly existence to the dread forces.

The second act of *The Dybbuk* incorporates the only dance which is actually written into play. It is the dance of Leah as a bride with the beggar-women of the town who have been invited to partake of the wedding feast, although their portion of the feast is separate from that of the wealthier guests. Besides Leah's dance, there is another one which is mentioned by one of the wedding guests. This is a dance around the grave of a bridal couple who had been murdered by Khmielnitsky's troops. It

was traditionally performed at weddings, relates the guest, because it was thought that the festivities would cheer the murdered pair. Reference to this dance, with its overtones of death and unconsummated love, has a direct bearing on Leah's dance with the beggar-women.

Within Ansky's play, Leah's dance functions on several levels. It is, first of all, a traditional performance, a piece of Eastern European Hasidic folklore, woven by the author into his work in order to lend an aura of both authenticity and exoticism—authenticity, because, as we shall point out, there are many parallels to Leah's wedding dance in the folklore, not only of the Hasidim, but of many other cultures as well, and an informed spectator would recognize it as one among many such traditional folk dances; exoticism, because the world presented in Ansky's play is outside of the immediate experience of a sophisticated audience. Leah's dance is, thus, one more skein in a complex web of custom and superstition which no longer prevails in modern society.

On another level, Leah's dance with the beggar-women is the dramatic opportunity for the *sitra ahra*, the forces of the "other" side, to infiltrate "this" side. In the self-abandonment of the dance, the spirit of Leah's true bridegroom, Khanan, seizes the opportunity to reach out to his bride and to enter into her in the form of a *dybbuk*. Once he has accomplished this goal, it is only a matter of time before he succeeds in drawing her away with him completely into the "other" world.

Finally, Leah's dance functions as an illustration of a central paradox of Ansky's play. Dancing at a wedding is a sign of celebration and rejoicing, yet Leah's dance is filled with terror and confusion. Like the mentioned dance around the grave of the murdered couple, Leah's dance introduces the theme of the coexistence of opposing forces and the inevitable struggle between them. In this struggle, moreover, it is not certain that the force of Good inevitably triumphs over the force of Evil. On the brink of entering into a new phase of life and awakening to the potential of creating new life herself, Leah is suddenly caught in the midst of the struggle and is dragged over the tenuous border separating the two realms. As a result of her dance, Leah is at last united with her predestined bridegroom, but the price of this nuptial union is her life and the lives of her unborn children.

Leah's dance with the beggar-women exemplifies Ansky's dramatic method of combining folklore and tradition with plot line. The transformation which occurs in the bride as a result of the dance leads to the unearthing of the original contract between the fathers of the two children, and the revelation of Leah's predestined bridegroom. The dance is, thus, the means of a bridal couple's transformation, a parent's spiritual regeneration, the disclosure of a truth long concealed, and the price at which all of this must occur.

In Hasidic tradition there are various types of wedding dances, each designed to fulfill a particular function within the context of the nuptial

festivities.<sup>3</sup> A ready example is the initiation dance, common to many folk cultures, in which the bride alone, or the bridal couple together, go through a series of figures with other members of the community. This dance symbolizes the change in the young couple's status within that community. Among the Hasidim, the community with which Ansky was directly concerned, the *patch-tants*, performed on the evening after the wedding ceremony, is an example of such a dance. It is performed only by married women in a circle, with the bride in the center. The women walk with handkerchiefs held downward in their hands. During a "grand right-and-left," the bride joins in, thus symbolizing her reentry into the community in her new capacity as a married woman. Such a dance also functions as the formal means by which the bride is incorporated into the community in her new role.

Protective dances are designed to guard the bridal couple from evil forces at this vulnerable moment of their lives. An example of one, drawn from Hasidic culture, is generally performed as the wedding guests proceed to the place designated for the ceremony. Characterized by an aura of violence, and accompanied by loud music, noisemakers, and sometimes fireworks, this type of dance is a veritable war against the demons, with all the clamor of a real battle.<sup>4</sup> It is sometimes performed backwards so as to face the bride and groom. The reason here is, undoubtedly, to keep the couple always in sight, lest in an unguarded moment they be snatched away by the ever-jealous forces of darkness.

A direct traditional precedent for Leah's dance may be found in the special *mizvah-tants* performed at Hasidic weddings by the bride and other women before the ceremony takes place. Thus, Leah dances with the poor women of the town before she is led to the wedding canopy. This *mizvah-tants* with the beggar-women is appropriate for the occasion, since it is considered a *mizvah* not only to rejoice at weddings, but, also, to care for the poor, especially on an occasion when one has been particularly favored. Yet Ansky has slightly altered the traditional Hasidic *mizvah-tants* to hint at the darker currents beneath the surface of the scene. These are first introduced in Leah's dance and then explode violently into the drama at the end of the second act. It should be noted that, although the *mizvah-tants*, which takes place before the wedding ceremony and involves only the women of the community, is the most direct parallel to Leah's dance with the beggar-women in the second act, all of the Hasidic wedding dances described above have some relevance to the action of Ansky's play. During her dance, Leah is initiated into the *sitra aħra*, the "other"

3. Marsha Seid, "Wedding Dances," in Fred Berk, ed., *The Hasidic Dance* (New York: American Zionist Youth Foundation and the Union of American Hebrew Congregations, 1975).

4. Joshua Trachtenberg, *Jewish Magic and Superstition* (New York: Atheneum Books, 1970), pp. 160, 167. Such a protective dance may be the background for the song in the Biblical *Song of Songs*, 7 : 1, which refers to "the dance of the two companies." [Ed.]



realm where dwell the demons and the dead. And all of the noisy festivities cannot prevent the intrusion of the dark forces and, especially, Khanan's *dybbuk*, into the community.

The *sitra ahra*, is mentioned frequently in the first act of *The Dybbuk* and is, in a sense, represented there by the *meshulah*, the mysterious messenger, who predicts much of the action of the play, yet enlightens none of the characters because of his predilection for *doubles entendres*. But the *sitra ahra* does not actually appear onstage until the second act, where it is clearly represented in Leah's dance with the beggar-women. It is entirely appropriate that beggars should function as "stand-ins" for demons, as minions of the "other side" of existence, since beggars are truly the emissaries of this other world. They are the mirror in which society is forced to view its alternate self. Alien to the security which wealth or status bring, beggars live on the fringes of society or wander from place to place. They stimulate wonder and fear in men who lead more settled lives, for they are constant reminders that below the tightrope of human existence lies an abyss, as the Baal Shem Tov explains in a story which the *meshulah* tells to the Hasidim of the town. One false move, one unguarded word, and even the wealthiest and the wisest may tumble into the depths. This relationship between beggars and the "other" side of existence is probably the basis for the numerous tales throughout folklore of beggars who are really saints and prophets in disguise. In the first scene of the second act, two of the wedding guests allude to this very notion. Commenting on Leah's dance with the beggar-women of the town, as well as on her father's generosity to them at the wedding feast, a guest remarks that, after all, it would be dangerous not to care for the poor, for one can never tell a beggar's true identity. He might be one of the *lamed-vovniks*, the thirty-six righteous men whose virtue sustains the world. Or he might even be Elijah the Prophet, who often goes through the world disguised as a beggar. To this, a second guest responds that it is not only the poor with whom one must be careful. No one can tell for certain who any man might have been in his last existence, or what he is doing on earth right now. The interaction of the two coexisting spheres of existence—"this" side and the "other" side—is mysterious and frightening.

As an intrusion of the "other" side into this world, Leah's dance with the beggar-women is characterized by a demonic frenzy. The beggar-women press against her, demanding to dance with her. One old blind woman refuses to be diverted even by offers of food, drink, and money. Seizing Leah, she whirls the young woman around so violently that both of them nearly drop to the ground with exhaustion. Leah is rescued from this bacchanal by her friends, but the dance has already had a profound effect upon her. It has turned her thoughts to the demonic forces and to her dead lover, Khanan. In this respect, Leah's dance foreshadows the future action of the play. Seized violently by the *dybbuk* of her dead lover, Leah undergoes the ceremony of exorcism in order to be rescued from

this unnatural force. Yet the demonic seizure has already exercised a profound influence upon her mind and cannot be dispelled by all of the desperate efforts of the community to save this “young twig of the House of Israel.”

In Ansky's directions for the set of Act II, we see the grave of a young couple who had been murdered by Khmielnitsky's troops as they were being led to the bridal canopy. Later, in the same act, a guest informs us, as we noted above, that it is customary for wedding parties to dance around the grave in order to cheer up the dead couple and to compensate them for the wedding that they never had. The tale is half-legend, half-history. In *The Dybbuk*, it is closely connected with Leah's pre-nuptial visit to the local cemetery, which takes place offstage in Act II, to invite her dead mother and her former lover, Khanan, to join her wedding party. The custom of dancing around a grave is widespread and of ancient origin<sup>5</sup>, and Death as a bridegroom is a familiar figure in the lore of the dance. In her essay on ballad motifs in the Yiddish folk song<sup>6</sup>, Eleanor Mlotek cites a 16th century version of the German “*Der Tod und das Mädchen im Blumen-garten*” (Death and the Maiden in the Garden) found in a Yiddish manuscript. In this song, Death appears in the garden as a skeleton and invites the young girl to dance with him. She pleads her youth and her beauty, attempts to bribe Death with gold and jewels, but all in vain. In the end, Death throws her to the ground and kills her by touching her heart with his cold finger. Leah's description to her friends of her dance with the beggar-women almost exactly parallels the description in the ballad of Death's dance with the maiden.

They crowded against me, they encircled me, they suffocated me, they pressed me with their cold, dry fingers . . . my head whirled, my heart failed me . . . then someone lifted me up into the air and carried me off, far, far, away . . . .<sup>7</sup>

The “cold, dry fingers” of the beggar-women are the fingers of Death. Leah is temporarily rescued from their clutches by “someone”—we suspect it is the spirit of Khanan—and is carried off—a premonition of her final choice to join her dead lover in the other world.

5 Curt Sachs, *World History of the Dance* (New York: W.W. Norton & Company, 1963), p. 74.

6. Eleanor Mlotek, “Traces of Ballad Motifs in Yiddish Folk Song,” in U. Weinreich, ed., *The Field of Yiddish: Studies in Language, Folklore, and Literature. Second Collection*, (The Hague: Mouton & Company, 1965), p. 239. A Yiddish ballad version of the theme of Death and the Maiden contains many allusions to a wedding. The bride, Rochele learns that she must die. She summons her parents, relatives and her bridegroom to her side to bid them farewell. They all kiss her in turn. (This is a standard feature of the medieval dance-of-death pantomime, in which the kiss is supposed to revive the dancer who “plays dead.” Jewish versions, however, omit the resurrection motif.) Rochele then instructs them to go outside. When the sky turns red, it is a sign that she is dead. Mlotek notes that, throughout the ballad, there are constant references to *der tog fun tantn un shpringn* (“the day of dancing and prancing”), a line which traditionally designates a wedding day. She remarks that fragments of the Death and the Maiden theme appear in other Yiddish wedding songs as well.

7. Translations from Ansky's Yiddish are mine.

One critic refers to the macabre atmosphere of Leah's dance with the beggar-women<sup>8</sup> but fails to mention its paradoxical significance. For the real problem of the plot is not simply the horrific possession by a demon of the body of a young woman; rather, it is that Khanan, by invading Leah's body in the form of a *dybbuk*, manages to separate Leah in spirit from her family and community just as he himself is exiled from the physical community of Israel. Yet Khanan's action implies that the young yeshivah student is actually making an attempt to re-enter the community from which he was so suddenly separated by his untimely death. Leah's dance provides him with the opportunity to do so.

We have said that a traditional precedent of Leah's dance with the beggar-women is found in the Hasidic *mizvah-lants* which takes place prior to the wedding ceremony. Another traditional wedding dance, this one of German origin, presents a structural and thematic parallel to the action of the drama as it unfolds in the second act. It is called "dancing the bride out"<sup>9</sup> and consists of a double circle around the bride, with women and girls forming the inner one, and men forming the outer one. The groom forces a way through this double circle to his bride, followed by the married women, shrieking. The symbolism here is fairly obvious. (One is also reminded of the legend of Siegfried charging through a ring of fire to reach his bride-to-be, Brunhilde.) In effect, Ansky's staging of the wedding scene corresponds to the structure and object of this dance. Frontstage we see a small circle of male wedding guests, chatting about the local customs and the generosity of the host. This is the outer, male circle. Beyond it is the ring of women beggars encircling the bride. With them are Leah's female relatives and friends. This is the inner, female circle. Leah is the focus of attention amidst these two circles, particularly since there is no prospective bridegroom in sight to divert attention from her. The absence of the wealthy young man who has been selected by her father as insurance for her future, provokes much consternation among the wedding guests. They pepper with questions the *meshulah*, who has just arrived on the scene. Perhaps he has met the bridegroom's party on the road to the town? The *meshulah* assures them hollowly that "the bridegroom will arrive on time." He, however, has a different bridegroom in mind than do the other wedding guests.

When the young bridegroom whom Leah's father has chosen for her finally does arrive, it is clear that he will never have the fortitude to penetrate through anything to reach her. A timorous youth, he retreats in terror before the army of strangers who propose to become his new friends and relatives. Failing in this figure of the "dance," he loses his chance for Leah and leaves the field clear for Khanan. The remark of a crippled beggar foreshadows the arrival of Leah's true bridegroom.

8. Gilbert W. Gabriel, in his introduction to an English-language version of Ansky's *The Dybbuk*, tr. by H.G. Alsberg and W. Katzin. (New York, 1926).

9. Sachs, *Op. cit.*, *loc. cit.*

“What’s that? The bride is only dancing with the women? I’m going to take her by the waist myself and swing her around. Ha, ha, ha!” The crippled beggar’s suggestion of violent action is forestalled by both custom and his own physique. Similarly, Khanan had been prevented from obtaining Leah in his lifetime by social convention—Sender had insisted upon a rich husband for his wealthy daughter—and, after his death, by the inconvenience of lacking a body at all with which to accomplish his object. Nevertheless, during the nuptial festivities, Khanan does penetrate through the double circle of the world of the death and the world of the living to seize his predestined bride violently in the form of a *dybbuk*. And, in the last scene of the play, Leah reciprocates Khanan’s action by herself stepping out of a protective magic circle that has been drawn around her by the wonder-working *rebbe* in order to merge with her predestined bridegroom in the other world.

The staging of Leah’s dance as it is written into the play contributes to its alien atmosphere. For the first part of the scene, Leah and the beggarwomen are seen dancing only in the distance, while a conversation between members of the wedding party takes place frontstage. The dance is, thus, slightly removed from the general bustle of the wedding feast. The audience perceive it as a vague, distant vision which grows increasingly ominous as it comes increasingly into the focus of their attention.

The struggle between two worlds for the soul of man was perceived by Ansky to be an important theme of Jewish folklife. In the second act of *The Dybbuk*, this theme is dramatically represented in Leah’s dance with the beggarwomen. And just as more than one world exists, so Leah’s dance functions on more than one level within the spheres of the two worlds, for it is at once an initiation rite, a dance of death, and a symbolic gesture.

# *In Defense of Teshuvah—A Modern Approach to an Ancient Concept*

ARYEH BOTWINICK

THERE IS HARDLY A REQUIREMENT OF TRADITIONAL Jewish practice which seems calculated to offend modern sensibility more than that which enjoins Jews to do *teshuvah*, constantly to re-examine their attitudes and actions and to repent.<sup>1</sup> To be bound by a set of externally imposed norms purportedly emanating from an other-worldly source would seem to be bad enough. To have to gauge continually the extent to which one's thoughts and feelings deviate from these prescribed norms would appear to guarantee alienation and repression. On the surface, *teshuvah* appears to require us to dissociate ourselves constantly from aspects and expressions of self that diverge in any way from the religiously ordained understandings of appropriate human action, thought, feeling.

Recent developments in the philosophy of language, however, facilitate a reversal of this perspective. Basing herself on the metaphysical positions outlined and defended by Wittgenstein in his *Philosophical Investigations*,<sup>2</sup> with their concept of the ultimacy of language and of the disparate sets of rules that govern its employment in different regions of discourse, Elizabeth Anscombe draws a distinction between brute facts and institutional facts.<sup>3</sup> "That a man has a bit of paper with green ink on it is a brute fact, that he has five dollars is an institutional fact."<sup>4</sup> Brute facts refer to a class of events or activities that exist as such, e.g., eating. On the other hand, marriage, money, promises, baseball, chess and transactions pertaining to them, all involve reference to institutional facts, since the moves that one makes under the particular rubrics of marriage, money, etc. are related to the particular institutions creating and defining them in

1. Halkhically, the three fundamental components of *teshuvah* are: a) *viddui*—a verbal acknowledgement of sin; b) *haratah al ha-avar*—repentance over what has been done c) *kabbalah al he-atid*—resolution not to commit the same transgression in the future.

2. Ludwig Wittgenstein, *Philosophical Investigations*, 3rd. ed., tr. by G.E.M. Anscombe (London: Macmillan, 1969). For an excellent summary of Wittgenstein's argument see Hanna Pitkin, *Wittgenstein and Justice* (Berkeley: University of California Press).

3. G.E.M. Anscombe, "On Brute Facts," *Analysis*, 18 (1958). See the discussions of this paper in John R. Searle, "How to Derive Ought from Is" in W.D. Hudson, ed., *The Is-Ought Question* (London: Macmillan, 1969), pp. 120–134, and in Alasdair MacIntyre, "The Antecedents of Action," in Bernard Williams and Alan Montefiore, eds., *British Analytical Philosophy* (London: Routledge and Kegan Paul, 1967), pp. 205–225.

4. Searle, *Op. cit.*, p. 130.

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the first place. That my lifting an oblong wooden object and attempting to hit a rubbery, round one constitutes a "strike" becomes intelligible only within the larger institutional, man-made framework of the game of baseball, and is totally devoid of sense outside of it.

That the terms "brute fact" and "institutional fact" are not mutually contradictory, and that, under further inspection, most brute facts yield additional networks of institutional facts, does not vitiate the validity of the distinction and, in fact, makes it more useful in terms of effecting the reversal of perspective with regard to the concept of *teshuvah* that was mentioned above. For example, the human activity of eating appears, under further scrutiny, not a brute biological fact, like the eating processes of animals, but as governed by many conventions that range from rules of etiquette to the dietary laws of various religions which hedge about that brute activity with certain institutionalized procedures and restrictions. Thus, it is only in relation to a game like chess, which does not exist antecedently to human invention, that eating seems a brute fact. In relation to the expression of pain, however, eating appears to be much more institutional in character.

One of the metaphysical puzzles surrounding the concept of *teshuvah* is how a new thought or intention in the present can nullify what has taken place in the past, so that through the act of repentance one's sins are, as it were, wiped away. What gives an event in the present such vast retroactive power?<sup>5</sup> Invoking the distinction between brute and institutional facts affords us a path through the metaphysical labyrinth generated by the concept of *teshuvah*. Strictly speaking, the only things that are past, that are irrevocably over, are brute facts. On a particular occasion in the past certain neurophysiological processes transpired within me and muscular energy was released whose most apt description at the time was that I became angry. However, the set of institutional contexts under which a particular sequence of brute facts might be subsumed is potentially infinite. The set of brute descriptions of a particular event are sufficiently indeterminate to square with an indefinite range of institutional characterizations of the same event. In an institutional sense, therefore, no action is ever completed, since the class of possible descriptions of what happened remains open. As I grow and gain deeper insight into myself, the institutional context of anger might appear as hopelessly inadequate to capture my full sense of what had happened, and I might turn to other institutional contexts, such as one that assigns a crucial role to experimentation in thought and deed for an ongoing process of growth and self-discovery, as being truer to the (brute) facts than the original description. Whereas under the old description of anger my action had a fixed, finished aspect, under the new description of growth the action takes on the quality of a fresh beginning, whose precise emotional and even intel-

5. On this point see Joseph B. Soloveitchik, "Ish Hahalakhah," *Talpiot* (1944): 720-722.

lectual import cannot be assessed until further actions on my part reveal the emergence of a new pattern of meaning and possibility.

In the light of this analysis, we can better appreciate one of the most striking halakhot found in connection with *teshuvah*. Maimonides states<sup>6</sup> that even if one had been evil his whole life and did *teshuvah* in the end, he is not reminded (presumably on the day of judgment) of any of his evil deeds. On the surface, it would appear that the worst evils of medieval Catholic formalism are being re-affirmed in this dictum. The recitation of a magic formula at the end of life is enough to gain one absolution for sins and even entry into the gates of heaven. But considering what has just been said about the relationship between brute fact and institutional fact posited by the concept of *teshuvah*, Maimonides' view becomes more comprehensible. If, in the face of approaching death, confronting the ultimate limit to human existence, a human being suddenly sees his past life in a new way, piercing through some of the comfortable illusions that supported his previous behavior, then, from the perspective which *teshuvah* would regard as definitive, his actions are new. The institutional context through which the brute behavior is now perceived, and the unmasking of previous institutional contexts as partial and distorting, transform the previous pieces of behavior into new actions, whose identity is now discerned as if for the first time.

The distinction between brute fact and institutional fact enables us to accomplish a reversal of perspective with regard to the fundamental psychological strategies summarized by the concept of *teshuvah*. Instead of referring to a process that intensifies human alienation by keeping man permanently at war with himself, *teshuvah* can be construed more illuminatingly as involving the deployment of strategies for the integration of human personality.<sup>7</sup> By positing all human action and actions as essentially unfinished, subject to elaboration by the exigencies supplied by later thought and experience, the imperative of *teshuvah* directs human beings to strive constantly to preserve a congruity between their thoughts and feelings on one side and their actions on the other. By inviting re-examination of behavior in the light of subsequent experience, the laws of *teshuvah* implicitly teach us not to reify our actions, not to regard them as permanently defining our personalities, but to see them as in some sense provisional and improvisatory, momentary inlets into our gradually unfolding personalities.<sup>8</sup>

6. Maimonides, *Hilkhot Teshuvah*, Ch. 1, halakhah 3. This is based on a Talmudic source found in *Kiddushin* 40b.

7. Cf. Samuel K. Mirsky, Introduction to *Hibbur Hateshuvah L'Hamciri* (New York: Talpiot, 1950), p. 61: "Teshuvah represents one of the primary spiritual manifestations in man. Through it he finds that for which he is longing, a source of permanent renewal and re-innovation . . ."; and Rabbi Soloveitchik, *Op. cit.*, p. 721: "The halakhah stipulates that a person who repents re-creates himself out of the depths of the living past, when he is directed towards the future which exhibits towards him a smiling face," (Hebrew originals; my translation).



This approach to the concept of *teshuvah* also enables us to gain a new insight into the structure of Maimonides' codification of the laws on it. He devotes two chapters out of ten in his formulation of these laws<sup>9</sup> to a discussion of freedom of the will, including some of the philosophical perplexities inherent in it, such as the question of God's omniscience versus human exercise of will, and resolves them all in favor of man's freedom.<sup>10</sup> Not only is freedom necessary in order to provide an acceptable moral basis for punishment of those who do not repent, but a free will is also the most significant element in the strategy for accomplishing *teshuvah*. In a sense, part of the imperative of doing *teshuvah* is to develop in ourselves the imaginative capacity to transcend the given institutional contexts in which our actions appear to be trapped, thereby providing ourselves with fresh starting points in a continual process of interaction with ourselves and with other people. The possibilities for fashioning institutional contexts to frame a particular sequence of brute facts are coextensive with the resources of language itself, which provides us with the intellectual wherewithal to generate ever-new conceptual frameworks for organizing our experience. Cultivating the flexibility to approach our behavior from a multiplicity of perspectives, e.g., from sociological to psychoanalytic to structuralist,<sup>11</sup> and developing a receptivity to new approaches, provides us with levers to collapse the congealed events of our lives into sequences of fresh possibilities opening up in new directions.

There is another feature of Maimonides' discussion of *teshuvah* which becomes more intelligible from the perspective advanced here. The last chapter of his Laws of *teshuvah*<sup>12</sup> deals with the need to worship God and to obey His commandments out of love rather than out of any other motives such as fear, the desire to attain the blessings contained in the Torah, or to gain entry to *olam habah*. One must appreciate the truth of the Torah for its own sake, and not for any incidental benefits that it might bring. It seems to me that if Maimonides merely wanted to admonish us not to adopt a mechanical attitude towards *teshuvah*, not to view it in too rigidly calculating a spirit as a kind of last minute audit to help keep our

8. I do not mean to impugn the importance, in transgressions committed in the interpersonal realm, *avrirot she-bein adam l'havairo*, of seeking actual forgiveness from the person wronged, and to effect restitution where this is possible as, for example, in the case of stealing. Also, in connection with *avrirot she-bein adam la'makom*, transgressions committed in relation to God, there are, in most cases, a set of prescribed norms to which one is enjoined to return. Still, in all of these cases we are left with the task of integrating an anomalous and disconcerting act into the ongoing fabric of our personalities, and with the need to invoke the precesses described in the essay.

9. Chs. 5 and 6.

10. The *Rabad* attacks him on the radicalness of his formulation, and counsels avoidance altogether of these thorny metaphysical issues.

11. The use of determinist schemes of analysis to enhance human freedom was evident to at least one of the founders of the modern doctrine of scientific determinism, Thomas Hobbes. See my paper, "Non-Alienating Structures of Personality and Society: A Reading of Hobbes' *Leviathan*" (forthcoming).

12. Ch. 10.

religious accounts always in balance, he would not have required a whole chapter to make his point; a paragraph or two would have sufficed. It appears to me that there is a latent as well as a manifest content to this chapter; it is as much about love as it is about *teshuvah*. Maimonides sees a profound connection between the two, and seeks to bring it to the attention of discerning readers.

In the last paragraph of the chapter he says that a person cannot love God except through the knowledge that he has of Him.<sup>13</sup> Love of God is commensurate with knowledge of Him. Therefore, a person should devote himself to acquiring, to the extent that it is possible for man to do so, that knowledge and wisdom which inform him of the nature of his maker. Since, for Maimonides, man's knowledge of God is metaphoric in character and the descriptive terms invoked to delimit Him conceptually are not to be construed literally,<sup>14</sup> the injunction to love God cannot be realized by mastering a finite body of precepts about Him. To know God truly is to appreciate the magnitude of the role that is assigned to man in the scheme of creation, which ties in with the tremendous stress on freedom of the will cited earlier. A God whose essence cannot be rationally penetrated can only be apprehended, as it were, through the exercise of human will. By being most creative, maximizing our energies to the full, we discover after the fact what is God's plan for the universe. Since we cannot rationally capture God's essence, an *a posteriori* method of inference becomes the only one available to us, and a premium is placed on personal growth for the sake of actualizing God's plan for the universe.

Man demonstrates his love of God, therefore, by being active in every sense, including the intellectual one of constantly striving to attain a more coherent understanding of himself and the world. Maimonides regards the attitude of love as expressive of a state of fully activated intellectual energy. The person who loves God seeks self-transcendence by extending his imaginative resources to encompass new ranges of feeling and insight. His identity overlaps entirely with that of the *baal teshuvah* who, in the course of growth, discovers new institutional contexts to frame his behavior. The lover of God cultivates the stance of the *baal teshuvah*, forever searching for new areas to cast the net of his understanding. For both the lover of God and the *baal teshuvah* it is this sense of being fully alive, in close communion with vast internal stores of energy, that provides the experiential confirmation that one indeed loves, that one has, in fact, repented.

Judaism has classically been conceived of as a religion that stresses the primary of action over thought, of will above reason.<sup>15</sup> The paramountcy assigned in traditional Judaism to the performance of *maasei mizvah* (commandments) has led many interpreters to view it as directed primar-

13. The *Rabad* claims that Maimonides' words here exceed the bounds of intelligibility.

14. Maimonides, *Hilkhot Yesodei Hatorah*, Ch. 1, halakhot 9-12.

15. This has been the classic line of approach, from Judah Halevi's *The Kuzari* to Leo Baeck's essay, "Romantic Religion."

ily towards man's will, striving to condition it through habitual action to respond in ethically and religiously approved ways. I have tried to suggest in this paper that this picture needs to be amplified in order to account for the role of *teshuvah*. It is not as if there were two airtight compartments, labeled "reason" and "will," and that Judaism stresses one above the other. The laws of *teshuvah* seem to me, rather, to suggest the extension of a voluntaristic conception of man into the domain of the intellect itself, positing a notion of mind as composed of temporary crystallizations of vibrant bundles of energy. The act of *teshuvah* provides us with strategies for repossessing ourselves when anomalies and setbacks of various sorts temporarily block the full expression of a rationally informed will. The motto of *teshuvah* seems to be contained in the phrase found in the haftarah on *Shabbat Shuvah*—*Ve-lo nomar od elokeinu l'masei yadeinu*—"Neither will we call any more the work of our hands our gods."<sup>16</sup> The warning enunciated by the prophet does not refer only to physical idols but to all of our human constructs, whether they be thoughts, deeds or intellectual frameworks. We are cautioned against premature reification of any aspect of our past and present, against falsely absolutizing that which in the nature of things can remain only relative.

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16. Hosea 14: 4.

# *The Poetics of Allusion and the Hebrew Literary Tradition*

WARREN BARGAD

THERE HAS BEEN MUCH DISCUSSION, IN recent years, regarding the problem of composing a literary history of a particular literature. The discussion has focussed on various elements, such as the rubric "literary tradition," the notions of change, development or decline in an historical evaluation of literary works, and the central issue of delineating the historical parameters of literary art.<sup>1</sup> Definitions and solutions vary; but the view which seems most convincing is that any literary history must pay some primary attention to the intrinsic configurations of individual works. The literary historiographer—at least one who sets about writing an account of a particular national literature—should take into account the "formative principles of particular works . . . the special artistic intentions and processes of individual authors in particular cases."<sup>2</sup> Such "formative principles" are determined, no doubt, by the author's use of literary conventions, and a proper literary history is, by and large, a history of individual styles and uses of literary conventions.<sup>3</sup>

Two points of reference from within the modern Hebrew literary tradition shed light on aspects of this dual theory of literary history and convention: a remark made in a new Israeli literary journal about a particularly eminent Hebrew author—the Nobel Prize winner S.Y. Agnon—and the employment of a particular literary convention in works by Agnon—allusion.

In their 1972 manifesto, the editors of the new journal, *Siman Kri'a*, were emphatic in delineating what they saw as the revolutionary nature of the Hebrew prose that they were publishing. They were, in fact, proclaiming a new age for Hebrew literature, one that would be free from what they saw as undesirable, cumbersome elements of the previous literary age. Singling out Agnon in particular, they announced the following:

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1. See, for example, R. Wellek and A. Warren, *Theory of Literature* (Peregrine ed., London, 1963), pp. 38–45; Geoffrey H. Hartman, *Beyond Formalism* (New Haven, 1970), pp. 356–386; and Claudio Guillén, *Literature as System* (Princeton, 1971), pp. 420–510.

2. Robert Marsh, in P. Damon, ed., *Literary Criticism and Historical Understanding* (New York, 1967), p. 12.

3. On convention as "collective style," see Harry Levin, *Perspectives on Criticism* (Cambridge, Mass., 1950), p. 77.

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The three works of fiction presented [in this first issue] have in common a liberation from the pillory of Agnonesque. . . . The stories are not a puzzle of meanings; they lack his heavy-handed ironic twists . . . and they are devoid of the *patterns of allusion* which weigh so heavily [on the reader].<sup>4</sup>

Now it is true that Agnon (who died in 1970 at age 81) created many works of fiction which are highly allusive, but his uses of allusion are quite varied: there are allusions to Biblical contexts, to classical and medieval rabbinic texts, to folkloristic myth and legend, and even to other stories by Agnon himself. Some allusions are oblique, others direct; some are semantically weightless, serving only to create an archaic tone, while others join contexts to highlight inner meanings. Agnon also wrote many stories and even novels with very few allusions and often none at all. It is somewhat superficial, therefore, for the editors of *Siman Kri'a* to have identified Agnon mainly as a master of inaccessible allusion. Their central mistake, however, is to have declared a new age for Hebrew fiction on the basis of "a liberation from . . . patterns of allusion", for this proposition demonstrates a basic misunderstanding of the varied artistic formulations which allusions may be given by various writers, and by Agnon in particular. The literary historian, too, should note the particular uses of this and other conventions and not label a writer or an age with such generalizations.

The problem may be illustrated by the varied types of allusion that Agnon used in three separate works. The first two, which I shall note only briefly, are found in rather stylized folktales. One is a direct allusion to a Biblical text, the other a more oblique allusion to a rabbinic context.

In the introductory sketch to the collection called *Polin: Sippurei Aggadot* (Poland: Stories and Folktales), Agnon narrates in quasi-historiographic style how the Jews first came to Poland. It was really quite simple, says the folk-narrator of "*Kedumot*" (Antiquities): the Jews were suffering terribly in Western Europe (under the yoke of the Holy Roman Empire) and were, indeed, seeking a place to go to. A piece of notepaper floated down from heaven bearing the message: "Go to Poland."<sup>5</sup> And so, states the narrator, quoting from Genesis (Chapter 12, verse 5), "And they went forth and came unto the land of Poland," (*vayelkhu vayavo'u arzah Polin*). Of course, "Poland" is substituted for the name "Canaan" in the Abraham story, but the parody has a definite purpose: Agnon is creating the myth—only to break it down later in the "*Polin*" cycle—that the Land of Poland stood, indeed, next to the Land of Canaan in the spiritual geography of the Jewish people. The medieval exodus to Poland, pre-

4. *Siman Kri'a* [Exclamation Point]: *A Mixed Literary Quarterly*, 1 (Sept., 1972), p. 8. (My emphasis—W.B.) For a historical discussion of the appearance of this journal, see my article, "Exclamations, Manifestoes, and Other Literary Peripheries," *JUDAISM*, XXIII, 2 (Spring, 1974): 202–211.

5. *Elu v'Elu* [Vol. II of Agnon's collected works], 6th edition (Jerusalem and Tel Aviv, 1960), p. 353. In this short piece Agnon was elaborating on a well known Jewish folktale. See Diane K. and David G. Roskies, *The Shtetl Book* (New York, 1975), p. xiii.

sented as a temporary substitute for Canaan, is thus portrayed as a pre-configuration of the future messianic return to the Promised Land. This optimism is shattered in most of the tragic tales to follow, but the direct allusion to the Abraham story serves well to evoke Agnon's mythic and subsequently ironic import.

A more oblique use of allusion occurs in the short story "*Aggadat haSofer*" (The Legend of the Scribe) [*Elu v'Elu*, pp. 131–145]. It tells of Raphael and his wife, Miriam, he a scribe of Torah scrolls and she a housewife. Despite Miriam's manifold devotions and folk cures, she remains childless. Heartbroken, she soon dies, and Raphael sets out to write a Torah scroll in her memory. But, in a gothic, fantasy ending, as Raphael completes the scroll, Miriam comes before him in death, dressed in her wedding gown. He and his scroll seem suddenly overwhelmed by fire and fall to the floor, covered over by the white gown.

The story, generally to be treated as a tragic romance, is given much greater depth of meaning through the use of an oblique allusion. While Raphael sits at his holy work on one side of the room, Miriam is depicted on the other side doing all the cooking, darning, sewing, and cleaning. The room is divided by a tall partition, and Miriam never ventures from her place of daily chores into Raphael's realm of the holy.

How good the proper sequence of things. Since we have described the course of his holy work we shall now mention the place of his holy work. He worked in his small apartment near the Great Synagogue and the public bath house (pardon its inclusion here) which contains the ritual bath. His apartment was small and modest, consisting of one room divided by a wooden partition. On the other side of the partition stood an oven and a stove and between the oven and stove sits the modest mistress of the house who cooks and bakes and brews and darns and weaves and knits and tends to the household chores. They had no children. Because the Holy One, blessed be He, craves the prayers of the righteous He kept her childless (*Elu v'Elu*, p. 133).<sup>6</sup>

Miriam's household work is described, by way of allusion, in terms of the laws of Sabbath infractions as delineated in Tractate *Shabbat* (Chapter 7, mishnah 2). That is to say, in contrast to Raphael's continual immersion in holy acts, Miriam's chores are redolent with a certain anti-sanctity, a profaneness identified with acts of breaking the halakhic laws of Sabbath holiness. Agnon alludes to this motif again later in the story, when the narrator, in apparent praise of Miriam and the calm grace and charm of her home, notes that "Were it not for her busy hands one could mistake every day for the Lord's Sabbath." These allusions transform the work from a simple, romantic tale into a complex, ironic drama of the holy and the profane. The story, by means of its underlying, metaphorical design,

6. See my complete translation in *The Jewish Quarterly*, XXIII, 1–2 (83–84; Spring-Summer, 1975): 25–30, 59. Another translation, by Isaac Franck, appears in S.Y. Agnon, *Twenty-One Stories* ed., Nahum N. Glatzer, (New York, 1971), pp. 7–25.

depicts an underlying struggle between abject “pureness” and the “impure” human acts of desire and loving. The subtle allusions tell the reader that it is an overwhelming sense of the holy which, by denying anything deemed “unholy,” ironically causes the characters’ childlessness and tragic sorrow.

The third example is a particularly conspicuous allusion used by Agnon, not in one of his stylized folktales, but in a realistic social novel called *Sippur Pashut* (A Simple Story), published in 1935. The novel is set at the turn of the century in a small town in Galicia (southern Poland), a town which appears to be thriving on all fronts: political, economic, and social. The town, Shibush (“gone awry”), displays a developing socialism, a new industrialization, and a rising middle class. At the center of the novel is the sad story of Herschel Hurwitz, son of the well-to-do shopkeepers, Baruch Meir and Tsirel Hurwitz. Herschel has fallen in love with his poor orphaned cousin, Bluma (“flower”), but his parents find Mina Ziemlich much more acceptable, since Mina is the daughter of the well-to-do rural grain merchants, Gedalia and Bertha Ziemlich (“suitable”). The match between Herschel and Mina is cleverly engineered, but, several months into the marriage, Herschel, who all the while is mourning the loss of Bluma, has a severe nervous collapse: he is found lying in a field croaking like a frog and crowing like a rooster. Subsequently, he is sent to a clinic in Lemberg where Dr. Langsam (“slowly” or “gradually”) effects a cure with a kind of self-disclosure therapy: he tells Herschel about his own childhood growing up in a small Jewish town. Herschel eventually returns to Mina and to his parents’ store and becomes—or at least so it appears—a devoted husband and father and an upstanding member of the community.

This particular passage has eluded the attention of literary analysts, probably for the very reason that it is so obviously allusive; it is highly digressive as well. The narrator interrupts the scene, so to speak—a festive meal at the Ziemlich estate in honor of Herschel and Mina’s engagement—and deliberates on the various laws of kosher poultry as they relate to the particular bird which Bertha Ziemlich has prepared for this significant dinner.

The main course, which Bertha feared her guests would not sufficiently savor [because they were stuffing themselves with the marinated mushroom hors d’oeuvres] was the meat-in-gravy of a bird called “Grecian chicken.” There was some doubt at first as to whether this chicken was kosher, since it was so weirdly shaped, even though its eggs were normal, with one sharp and one rounded end. But then came along our renowned Galician sages and permitted its consumption without any doubt or hesitation, because it had the necessary three signs of purity: a crow, an easily skinned stomach membrane, and a hind toe. In addition, it had long been the custom to eat this bird . . . and there also have been reliable witnesses who have testified that this chicken is common in the Holy Land and it is eaten there without hesitation. However, in spite of their being acceptable, these birds were not



readily available . . . and only wealthy landowners bred them in their private yards. That's why Bertha was so anxious for her in-laws to come into dinner with a hearty appetite, so that they'd know full well what it was they were being served.<sup>7</sup>

The specific allusions in this passage are to the laws of kosher poultry found in Tractate *Hulin* and in later codes of Jewish law.<sup>8</sup> Though the use of such specific detail may require further analysis and interpretation, the reader can readily account for at least three thematic components here: the strange chickens served by Bertha recur in Herschel's reluctant metamorphosis into a strange bird; like the "Grecian chicken," Mina was considered "acceptable" for Herschel while poor Bluma was considered "unkosher"; and lastly, Bertha clearly has gone out of her way to make an impression on Tsirel—a reminder that this work is, in great measure, a novel of middle class manners.<sup>9</sup>

To go a step further, the various elements in this allusive passage, which functions as a dramatic focal point, radiating with meanings throughout the novel, may be classified in three thematic categories: 1) the world of "tradition" or social convention; 2) the motif structure of "birds and eggs;" 3) the themes of doubt, difference of opinion, duality and—by extension—ambiguity.

By quoting from the halakhic texts, the narrator establishes both himself and the novelistic milieu as rooted in a traditional ambience. But, while the laws of kashrut are still observed, Shibush is depicted as a town rapidly entering into the modern age. The ancient, traditional laws are validated, as are the new methods of psychotherapy. Indeed, it is this very dichotomy of traditionalism and modernism which quashes Herschel's romance and brings about his fall. Though he is part of a society in transition, he becomes an ironic victim of entrenched custom. Furthermore, Bertha is not at all concerned with tradition; she cares only about impression. Thus, the passage highlights a second ironic clash, that between the notions of a "traditional society" and a "social tradition" or bourgeois convention. Such a specific reference to the laws of kashrut in the *social* context becomes a means of satire by way of parody. Tsirel Hurwitz makes the subtle mockery quite obvious. With masterful oneupsmanship—and with masterful anticlimax on the part of Agnon—Tsirel ignores the prospect of "Grecian chicken" and tells Bertha

7. Schocken paperback edition, with explanatory notes by Naftali Ginaton (Jerusalem and Tel Aviv, 1968), p. 83. The novel has traditionally appeared in Volume III of Agnon's collected works, *'Al Kapot haMan'ul* (last revised, in its 13th edition, in 1971). (My translation—W.B.)

8. The specific halakhic references here are to the shape of the eggs, the "three signs of purity" (*kashrut*), and the matters of custom and of testimony by eye witnesses. See Tractate *Hulin*, Chapter 3, especially mishnah 6. For additional references, see the *Jewish Encyclopedia* on "Clean and Unclean Animals" (subsection: "Birds"), and "Dietary Laws" (subsection: "Milk and Eggs").

9. Cf. Gershon Shaked, *Omanut haSippur shel S.Y. Agnon* ["The Narrative Art of S.Y. Agnon"], (Merhaviva and Tel Aviv, 1973), pp. 197–227.

how terribly full she seems to be getting on those wonderful mushrooms!

With regard to the pervading motif of “birds and eggs,” a brief commentary will suffice to show the intricacy and persuasiveness of Agnon’s artistic design in this novel. Just after the quoted allusive paragraph, the dinner is launched with soup dished out of a large bowl shaped like a goose, “its beak twisted in anger.”<sup>10</sup> The matchmaker who brings Herschel and Mina together is named Yona Toiber; both his names mean “dove.” At the very beginning of the novel Herschel imagines Bluma a nightingale, with lovely birds hovering overhead in an idyllic scene. By contrast, his mother, Tsirel, is described as constantly gorging herself with food, “bending over her chicken and filling her plate like a poultry saleswoman about to feed her birds” to fatten them up (for slaughter, that is). And, finally, just before Herschel’s breakdown, the old men in the synagogue fill in the time between prayer services by discussing—of all things—the various Talmudic laws concerning the kosher slaughtering of poultry.

The final category of thematic development which comes out of the quoted allusive excerpt is that of doubt, difference of opinion, duality, and ambiguity. There is, of course, great difference of opinion over Bluma within the Hurwitz family, but Tsirel’s plans hold sway. Herschel obviously lives a life of duality, at least in emotional terms: he is married to Mina but yearns for Bluma. And, in his breakdown, he becomes both a rooster and a frog, in a way both the highest and lowest of creatures, a middle-class prince in the form of a lowly creature, waiting for his lover to rescue him. There is also disagreement among the witnesses who had seen Herschel just before his breakdown: some said he seemed fine, others claimed he looked very ill indeed. (The theme of testimony, reminiscent of those who had witnessed the consumption of “Grecian chickens” in the Holy Land, also comes to mind here.) And there is the debate which arises over Dr. Langsam’s therapy: was it “scientific” or not? Was it a bona fide method of therapy or not? Agnon even exacerbates this issue by describing, through his narrator persona, how Langsam generally shunned routine therapeutic methods, especially medication. In fact, the only reason that he used medication at all was “in order to differentiate himself from the Hassidic Rebbe of Alesk” and his folk-cures! (Ginaton edition, p. 190).

But Agnon takes us beyond these aspects of plot and background; he suggests that an entire *cosmic* duality is at work in the world of the novel. Man, notes the narrator (quoting a famous midrash from *Bereshit Rabba* 8, 1), was created a Janus-faced being, a dual image looking in opposite

10. Cf. Lev Ḥakak, “Motiv haTarnegol be'Sippur Pashut” leS.Y. Agnon” (The Rooster Motif in S.Y. Agnon’s *Sippur Pashut*), *Hasifrut* IV, 4 (Oct., 1973): 713–725. Ḥakak mentions the theme of “religious problematics—the matters of slaughtering and kashering [poultry],” but he does not make this particular context a specific aim of his deliberations. In my discussion I have chosen only a few out of tens of possible examples.

directions. However—the narrator continues with his own cosmogony—in the later generations of man, “each individual is created unto himself alone, and he is not bound to look back behind him” (p. 220). This confirmation of the individual personality, stated near the end of the novel, seems to apply to Herschel’s recent recovery. He is to look forward now, not backward. What’s past is past; Herschel is now reconciled with his parents, his wife and family, and his work in his parents’ store.

Agnon, however, maintains the ambiguity—the dual possibility of reconciliation or victimization—to the very last. *Sippur Pashut* ends with a definite, purposeful sense of irresolution and irony.<sup>11</sup> Close to the novel’s end (Chapter 37), there appears another festive dinner scene at the Ziemlichs’; and the meal is begun again with soup from the same bowl of the irate goose. (The narrator playfully comments that he cannot understand the obvious discrepancy between Bertha’s happy face and the angry look of that porcelain bird!) And who should turn up at the party but Arnold Ziemlich, Bertha’s brother-in-law from Germany, who hasn’t visited since Herschel and Mina’s wedding. At that time he had come to Shibush to set up a local branch of his business, and now he has returned to check on its progress. His business: the poultry and egg trade, of course! Arnold Ziemlich, the modern businessman, according to Herschel’s father, symbolizes all that is well with the world. And who knows, muses Baruch Meir Hurwitz, perhaps there will be more marvelous matches between the Ziemlichs—the German Ziemlichs, that is—and the Hurwitzes: chickens and eggs, Ziemlichs and Hurwitzes, in continuous progression. He dreams of a future dynasty! Business, progress, and continued fruitfulness, that is what is important in the world. Herschel becomes a living symbol—or victim—of this implied bourgeois ethic; Bluma will forever remain beyond his grasp—but not beyond the realm of fictional rendering. In an amusing ploy, which actually stresses this “simple” story’s implied meaning, Agnon ends the novel with a mock statement of purpose:

The story of Herschel and Mina is ended, but not so the story of Bluma. Bluma’s story is a book in itself . . . How many pens and how much ink will it take to tell the story of [all those] involved in our simple story. God knows when we’ll have the time.

Bluma, in other words, may be out of reach for Herschel; but for you, dear reader, Bluma—and all that she represents—still lives, at least as a prospective figment of one’s wistful imagination.

In this discussion of *Sippur Pashut* I have clearly gone far beyond the

11. On the issues of ambiguity and resolution, cf. Arnold J. Band, *Nostalgia and Nightmare: A Study in the Fiction of S.Y. Agnon* (Berkeley and Los Angeles, 1968), pp. 242f, 252–254; William Cutter, “Setting as a Feature of Ambiguity in S.Y. Agnon’s *Sippur Pashut*,” *Critique*, XV, 3: 66–79; and Baruch Hochman, *The Fiction of S.Y. Agnon* (Ithaca, N.Y., 1970), pp. 94ff, 108–111. My own view is closest to Hochman’s idea of Herschel’s “ironic reconciliation” with Shibush and its mores.

quoted passage of allusion; but that is precisely my point. The literary analyst, when interpreting a work's meaning, should not, and cannot, isolate a particular passage or a particular allusion from the literary work as a whole. And, likewise, though in a much wider context, the literary historian should not isolate the use of allusion as a static convention or a detached stylistic technique.<sup>12</sup> The comments in *Siman Kri'a*'s manifesto notwithstanding—and surely one can readily see that their remarks on Agnon are merely part of a well-meaning but somewhat overstated declaration of renewal—each use of allusion should be treated individually within its artistic context by the literary critic. All “patterns of allusion” should be recorded and evaluated by the literary historian according to their particular usage and aesthetic effectiveness. From the point of view of both aesthetics and history, it may be said, therefore, that there is *no* full-fledged “*poetics* of allusion” in modern Hebrew fiction (in contradistinction to most of medieval and much of modern Hebrew poetry). There are *allusions*, used artistically with more or less success by a variety of writers, both older and more recent. It would be a mistake, therefore, to see allusiveness as somehow old-hat and unworthy of continuation in an alleged new age of Hebrew prose fiction.

Art, as history, is continuous; and artists, too, may live through several so-called literary periods in their lifetime. Such is the case with Agnon; he is a true example of the writer who represents a “conjuncture” of literary and cultural experience, as well as a staggering virtuosity of technique in the modern Hebrew literary tradition.<sup>13</sup> And, like any other literature, modern Hebrew literature represents a “tradition” only in the sense that eminent works of the past, such as those by Agnon, stand before the contemporary writer, reader or critic as already canonized opera; they may be confronted either with adulation or critique—but always with proper understanding. The literary historian, like the young writer, must recognize the “essential continuity of the written word.”<sup>14</sup> In this sense of continuity, *both* Agnon *and* *Siman Kri'a*, with their respective modes of expression and intent, become the stuff of literary history. In recording the ever-evolving interplay between the old and the new, the literary historian must analyze and interpret the theories, genres, styles and conventions which, in themselves, constitute the aesthetic conjunctures of literary art.

12. On the process of “actualizing” a literary allusion, see Ziva Ben-Porat, “The Poetics of Literary Allusion,” *PTL: A Journal for Descriptive Poetics and Theory of Literature* [ed. by Benjamin Hrushovski, Tel Aviv University], I, 1 (Jan., 1976): 105–128.

13. On “conjuncture” and “continuity” in literary historiography, see Guillén, *Literature as System*, pp. 435ff, 449ff, 461–469.

14. *Ibid.*, p. 498.

# *Towards A Progressive Theology of Zionism*

DAVID POLISH

IN ADDRESSING THE ISSUE OF ZIONISM AND Reform, we must begin by acknowledging that each played a singular and creative role in bringing Judaism and the Jewish people into the modern world. Yet, in all of Jewish history, Reform Judaism alone rejected the principle of the Jewish people's restoration to the land of Israel. Even before there was a Zionist movement, German Reform disavowed all those aspects of Jewish religion which pointed not only to national redemption but to collective Jewish consciousness within European society. The singularity of this position is all the more noteworthy when we recall that, while anti-nomianism can be detected in Kabbalistic literature, and radical theology is apparent in both Jewish metaphysics and Jewish mysticism, the principle of national redemption remains inviolate until it is shattered by Reform Judaism.

It is not enough to say that Reform challenged Jewish nationalism. It constructed a theology of anti-Zionism by which it converted *galut* into a religious imperative, particularist election into a universal mission, and ancient sovereignty into a contemporary Church community. According to Reform, that Church-community was liberated by the Enlightenment, by the Emancipation, and by the spirit of a new age which Reform rabbis saw as congenial to every national assertiveness except the Jewish one. It was not only the assault on collective ethnic consciousness that mattered. It was the projection of a theological system which rested, to a considerable degree, on the annihilation of the national-redemptive principle. Messianism, which was the way in which the Jewish people was to be the instrument for human redemption, was inverted into a universal principle through which the Jewish people would also benefit, everywhere except on its ancestral soil. With increasing intensity, this theology was challenged until it was no longer tenable and, by 1943, it was replaced by the principle that Zionism and Reform were "not incompatible."

It should be noted, however, that the anti-Zionist theology was contested, in the main, not by theological but, rather, by political and sociological counter-claims. It is true that many of them were scaffolded with the spiritual influences of Ahad Ha'am, Aaron David Gordon, and the kibbutz movement. They were informed with visions of a redeemed society and a

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regenerated Jewish people, just as religious humanism strove to confront the social issues of the early 1920s with its own brand of idealism. But, the integrity and the motivation of this approach notwithstanding, the result was a sublimated discourse which was intrinsically political. The issue was Jewish Statehood, and while Reform Zionists wanted the emergent Jewish State to fulfill prophetic principles, to be sure, Statehood was the primary agenda. It was argued that universalism could best be achieved through the collective resources of the Jewish People in its own land, that Zionism was different from all other forms of nationalism, but that Statehood was the compelling, urgent issue. This must be understood in the context of a Jewish world which was moving toward catastrophe in a way which many Reform rabbis could not perceive and which few others were capable of grasping.

Now, with political and secular Zionism having attained their initial objectives—Sovereignty and Statehood, however embattled—three perceptions seize our attention. The first is that, with the overwhelming victory of Zionism in the war for the soul of the Jewish People, distinctions between Zionism and non-Zionism seem to have vanished. How does one differentiate between a Zionist and a non-Zionist? Some Israelis claim, with no small measure of justification, that a Zionist is a Jew who makes *aliyah*. Virtually all Jews love Israel and are committed to its survival. Jews making *aliyah* are not necessarily prompted by Zionist motives. For that matter, David Sidorsky tells us that in a world where ideology is withering away even in such ideological cauldrons as the Marxist world, Zionist ideology is becoming attenuated and replaced by pragmatism which is more concerned with selling Israel Bonds than with the nuances among kibbutz movements.

The second perception that is encroaching on the consciousness of thoughtful Jews is that political Zionism may have reached the outer limits of its resources. This is not to suggest that the task of political Zionism—the securing and protection of an internationally recognized Jewish homeland—is finished, but that this is no longer the task of Zionists alone. It is the task of the entire Jewish People. From an interior perspective, however, it is becoming apparent to some that the issues of the quality of Jewish life, of the Jewish People, and of our values, are not susceptible of resolution within an exclusively political framework. The utopianism which prompted liberals everywhere to seek messianic goals within political structures has collapsed. This is not to discredit political meliorism, from which we cannot desist, but redemptive expectations through political instruments have proved to be illusory. Even the kibbutz movement, which is one of the most spiritual enterprises in recent Jewish history, is caught up in this contradiction. The power of secular Zionism to preserve the Jewish People has been demonstrated. Whether it can transform the Jewish spirit, however, is problematic.

This leads to the third perception—that a more profound religious

stress upon Zionism and within Zionism must be considered. Before we can do so, we must reaffirm a fundamental principle—that the spiritual renewal of the Jewish People requires that it live in space, in territory of its own, as well as in time. Joseph Campbell states that proposition thus:

It is simply a fact, signally illustrated . . . in Judaism and Islam, that when religion is identified with community, and this community, in turn, is not identified with an actual land-based socio-political organism, but with a transcendental principle embodied in the laws of a church or sect, its effects on the local secular body politic, within which it thrives but with which it does not identify itself are inevitable and predictably destructive.<sup>1</sup>

A similar point is made by Martin Buber:

There is no re-establishing of Israel, there is no security for it save one: it must assume the burden of its own uniqueness; it must assume the yoke of the Kingdom of God. Since this can be accomplished only in the rounded life of a community, we must reassemble, we must again root in the soil, we must govern ourselves. But those are mere prerequisites! Only when the community recognizes and realizes them as such in its own life will they serve as the cornerstone of its salvation.<sup>2</sup>

Having established our premises, we must insist that Zionism, related as it is to the nineteenth century, nevertheless has its deepest and most authentic roots in the Jewish principles of *geulah* and messianism. Many political and secular Zionists resist this perception and reject the religious sources of Zionism as though these taint modern Jewish nationalism. It is true that one strain of Jewish messianism tilts strongly toward the political and the essentially restorative. Akiba regarded bar Kokhba as a purely political Messiah who was destined to fulfill the prophecy of Zechariah (8 : 4) that "Old men and old women shall yet sit in the broad places of Jerusalem, every man with his staff in his hand for very age."<sup>3</sup> Maimonides defines the Messiah in restorative terms: "Do not suppose that the King Messiah will perform signs and wonders, create new things in the world, revive the dead . . . (He) will restore David's realm to its former status, its original sovereignty."<sup>4</sup>

Almost invariably, the verse . . . "The sceptre shall not depart from Judah . . . as long as men come to Shiloh" is interpreted to mean only that political rule from descendants of David would continue through the Exilarchs until the restoring *Mashiah* comes. The restorative element is often identified with *Mashiah ben Yosef* who is the Messiah militant. He is to conquer for Israel, and then die in battle. However, there was another component of Jewish messianism which augmented the strictly restorative

1. Joseph Campbell, *The Masks of God: Occidental Mythology* (New York: Viking Press, 1964), p. 277.

2. Arthur Hertzberg, ed., *The Zionist Idea* (New York: Atheneum, 1969), p. 457.

3. E.E. Urbach, *Hazal, Pirkei Emunot v'Deot* (Tel Aviv: Yavneh, 1969), p. 593.

4. Maimonides, *Hilkhot Melakhim*, Chap. II: 3, 1.



element, and it is this which political Zionism cannot adequately confront. This is redemptive messianism as manifested in the role of *Mashiah ben David*. Early in the post-destruction period, *Mashiah ben Yosef* fades into the shadows and *Mashiah ben David* looms larger and more imposing. The political factors are not obliterated. They never will be, as Jewish history advances. But they are augmented by expanding, universal expectations. The fusion of *melekh* and *mashiah* is a reconciliation of the political and the spiritual in the Jewish people for the future.

Though *Mashiah ben David* is to renew the kingdom and the Davidic dynasty, his function does not stop there. The kingdom of a renewed Israel is to become something other than it has ever been. Its very nature is to be transformed or, better yet, restored to the role initially intended for it. Jerusalem is to be purified. In fact, a pre-existent spiritual Jerusalem, abiding with God, will become a historical and earthly reality. "All the sons of the great God shall live quietly around the Temple." It is significant that the highest hope is the peaceful sojourn of the people, not around the royal palace, but in the precincts of the sacred Temple, whose rebuilding is regarded as one of the Messiah's first achievements. Temple worship and the observance of the Torah are central to the messianic goal. The Messiah will permit no unrighteousness, and no man in Israel will know wickedness. There will be no unrighteousness among God's people, for they will all be holy.<sup>5</sup>

The messianic influence will extend beyond Israel to all mankind. The Messiah will transform the world through the establishment of God's kingdom; he will abolish idolatry and put an end to human sin. The Sybilline Oracle predicts that

tranquil peace shall make its way to the land of Asia. And Europe shall then be happy . . . Good law shall come in its fulness . . . and good justice . . . Lawlessness, blame, envy, jealousy, anger, and poverty shall depart. Poverty shall flee from men.<sup>6</sup>

Underlying the world view of Judaism, both before and after the destruction of the State, was the principle of divine rule, *malkhut shamayim*, to which all other sovereignty was subordinate. This insistence upon God as the final source of human redemption is also recurrent in messianic literature, "God shall send a king who shall give every land relief from the bane of war . . . Nor shall he do these things by his own counsel, but in obedience to the good ordinances of the mighty God."<sup>7</sup> When the Messiah comes, it is God who is King of Israel, who "takes the government into His own hand. Hence it is called, in contrast to heathen kingdoms, Kingdom of God."<sup>8</sup> Plainly, "the kingdom of heaven" means God's dominion

5. Emil Schürer, *The Jewish People in the Time of Jesus Christ* (Edinburgh: J. and T. Clark, 1890), Division II, Vol. II, p. 174.

6. J. Klausner, *The Messianic Idea in Judaism* (London, 1956), p. 377.

7. Ibid., p. 376.

8. Schürer, *Op. cit.*, pp. 170–171.

within history. This religious perception of Jewish nationalism was so profound that the early Hassidim broke with the Hasmonean dynasty which was accused of having betrayed Israel's sacred vocation.

Jewish messianism and the Jewish concept of *geulah*, thus, differ radically from other views of national sovereignty out of which the ancient and modern state emerge. From Greek philosophy to Hegel, from early Christianity to Luther, the State was not redemptive but repressive. It goes without saying that the element of restoration, unique to the Jewish people, was altogether absent. Sovereignty was for the purpose of control, not for the purpose of moral transformation. Statehood was for the purpose of effecting the submission of people congenitally inclined to corruption. It culminates, in Hegel, as the supreme good. Plato's Republic is based on the principle of "ruling others and of being ruled by others." Some scholars call it a doctrine "of blood and soil." For Aristotle, "A kingdom is formed to protect the better sort of people against the multitude." Paul's perception was not intrinsically different. The ruler is "the minister of God to you for good . . . a revenger to execute wrath upon him who does evil".<sup>9</sup> Again and again, Church Fathers stress original sin as the cause of government. "Because of our depravity there is need of government" (Chrysostom). "Princes and magistrates are avengers of the law of God" (St. Basil the Great). Messianism is clearly absent. While restoration and redemption are comingled in Judaism, in Christianity the redemptive element is isolated and totally removed, not only from the realm of government, but from this world.

This view becomes especially pronounced in Luther, who, in his détente with the princes, established the autonomy of his revolution on the premise that Christian liberty frees the believer from all concern with worldly matters. Yet, historically reality requires that the State should exist because "the greater number of men are and always will be unchristian. Hence there is need for the State since it exists by God's ordinance to restrain and punish the lawless." Even more, Luther evokes earlier Church doctrines of man's incurable depravity. "Since the secular authorities are ordained by God to punish evil-doers and protect the law-abiding, we ought to let them do their work without let or hindrance." Thus, the State is released from accountability to the Church. Obedience to the State is absolute. Princes may be disobeyed only if they "take away my faith and my Scriptures."<sup>10</sup> By acquiescing to the State, Luther withdraws into a highly limited religious circumference beyond which the State, as divinely sanctioned, enjoys complete immunity, a theology which reached its logical nadir in Hitler's Germany.

Hegel brings both Greek political thought and early Church doctrine, as well as Lutheran doctrine, full circle by a secularized version of

9. *Epistle to the Romans* 13 : 3, 4.

10. Imbart de la Tour, in T.M. Parker, *Christianity & the State in the Light of History* (London: A. and C. Black, 1955), pp. 154-155.

the State as guardian against human depravity . . . "The State is the actually existing, realized moral life . . . the realization of freedom . . . All the worth which the human being possesses (is) only through the State . . . The State is the Divine Idea as it exists on earth."<sup>11</sup> He asserts that man is not free by nature and that the State exists to control his "brute emotions." But the State is no longer assigned by the Church nor mandated by God to contain human evil; the State is the very manifestation of the Divine. "Morality and Justice in the State are divine . . . there is nothing higher or more sacred."<sup>12</sup> Thus, the State is absolutized. It is enough to say that Hegel acknowledged that he owed everything to Plato. It is also noteworthy that Luther's abdication to the State leads to the Hegelian apotheosis of the State as the consummation of the Christian Spirit. Its destructive character is illuminated in Hegel's contrasting "the absolute Spirit" with the Jewish religion and the Jewish people as the incarnation of evil.

The dualism basic to Idealism moves the God of the Old Testament into the power field of an evil principle . . . Greek-Christian Spirit is the essence of good and beauty, of order and light. Old Testament-Jewish Spirit, however, is the expression of evil and corruption. The sacramental aversion against the Jew receives a new, more spiritual appearance when the young Hegel coins the horrible sentence of modern Ideology: "the Infinite Spirit has no room in the dungeon of the Jew-soul."<sup>13</sup>

Our times are a disastrous commentary on the Hegelian apotheosis of the State. Judaism has not succumbed to it, neither in the past nor today, but the very intensity of nationalism, especially among newer states, attests to its destructiveness. Whether rooted in our land, or yearning for it, we have been a post-national people because we have insisted on distinguishing between the rule of kings and *malkhut shamayim*. From our very beginnings, kingship was not indigenous to us. As Buber tells us, the book of Judges contains a series of stories intended to cast ridicule on monarchy. Gideon is offered a throne and he turns it down. "I shall not rule over you. God will rule over you." *Malkhut shamayim* is Israel's primary, if not exclusive, allegiance. When kingship comes, it is only in the wake of prophecy and priesthood, and is never absolute. Prophets denounce kings. Simeon ben Shataḥ confronts Yannai in the presence of an intimidated Sanhedrin. Many centuries later, Maimonides summarizes Rabbinic law about the king as follows: "If the king decreed to abolish a *mizvah*, he should be disobeyed . . . In the case of a *milkhemet reshut* (an optional war), he can muster the people only by a decision of the court of seventy-one."<sup>14</sup> Monarchy did come to Israel only because "each man did what was right in his own eyes", a hint at human depravity, but that was not the end of the matter. Monarchy and sovereignty were not one

11. F. Hegel, *Philosophy of History* (New York: 1944), pp. 38, 39.

12. *Ibid.*, p. 422.

13. Bulletin of the Leo Baeck Institute, Dec., 1961, No. 16.

14. Maimonides, *Sefer Shofetim*, 3:9; 5:2.

and the same. Kings could be discarded, but the nation was to live on its own soil, impelled by the vision of God's yet unfulfilled demands. Nothing could more dramatically illustrate this than the radical assertion by Ab-ravanel, who claimed descent from King David, that kingship for the Jewish People is not required but optional. A Jew was not supposed to interrupt even a simple *mizvah*, not even for the King. This post-national spirit prompted medieval rabbis to denounce the principle of *dina d'malkhuta* as *gezelah d'malkhuta* when the power of tyrants become overbearing.

Unrestrained nationalism as a political phenomenon may continue to imperil humanity or it may plunge us abruptly into an abyss, but whether it persists or not, it stands discredited as a source of ultimate commitment. We are called upon to distinguish between the State as the instrument of a people's well-being and community, and the State as a monstrous, retributive messiah.

Many of us have come to see the State of Israel exclusively in terms of an imperative political response to Auschwitz. No other land would take us; hence, Israel. Nowhere else could we defend ourselves; hence, Israel. This is valid, but it is not enough. For Israel and the Jewish people to endure, the Jewish State must embody both *Mashiah ben Yosef* and *Mashiah ben David*.

Yet, the *shoah* (Holocaust) is joined to Israel with links more formidable than historic necessity, however authentic that necessity may be. Though the State is an inseparable alternative of the *shoah*, there is no satisfaction in knowing that there would have been no State without it. It is obscene to assert that the *shoah* was a price which had to be paid for the State. But, existentially, the State of Israel cannot be separated from Auschwitz. It is part of the holistic experience of the Jewish people in this age which resonates with the same mythic, archetypal pathos of the Enslavement and the Exodus. It is a single event in which the miracle of death and transfiguration has taken place.

The State of Israel is more than a historical event. It is a moral-theological one without which there could be no solace for our dismembered people. Inadequate though the comfort may be, Israel is still vindication for the *shoah*, and who can assess the depths of our despair had that vindication not come? More than this, there has occurred the resurrection of a People. "Son of man, can these bones live?" Resurrection can be only from death. The *shoah* without Israel would have been death, unrelieved, unredeemed by hope. A Jewish State as an uncontested gift of the world to a safe and secure Jewish People would not have been informed with resurrection. It is not for all of us to apprehend this. Like the four who ascended into the *pardess*, many beheld and died; many went mad; many rejected God; but there are those who have survived and have returned to tell of the wonder of renewal.

Still, after all efforts to explicate the magnitude of this moment, there is mystery, and disclosure must wait. For this reason, there are clues in the

mystical tradition of our people. Among the overpowering contributions which Kabbalah has made is its capacity to intensify our awareness of the union of immanence and transcendence. Kabbalah does not reject immanence. It seeks to join it to transcendence. The universe is charged with spirit, ever reaching down to the lowest levels of the cosmic ladder. For every sacred structure, every sacrifice, every liturgical act on earth, there is its counterpart above, and the earthly deed, including the union of a man and his wife, is a metaphor of unions which take place beyond. The *elyonim* and *tahtonim*, the transcendent and the immanent, the physical and spiritual, reach out for union, for *zivug*, not the annihilation but the fulfillment of the latter in *zivug* with the former. *Geulah* is not only a historical objective, it is a yearning for cosmic fulfillment. *Yerushalayim shel matah*, resplendent in gold and Temple pageantry, is only a feeble facsimile of *Yerushalayim shel ma-alah*. And God, keeper of the mysteries of union, declares "I shall not come to Jerusalem on high until I shall have come to Jerusalem on earth."<sup>15</sup> (It is not mere coincidence that Rabbi Judah Alkalai, a forerunner of modern Zionism, was also a Kabbalist.) Aaron David Gordon caught something of this when he identified the land of Israel with aspiration for cosmic union, with the reaching out of the personal ego toward the Universe.

This, however, is not the only kind of moral union. There is the need for joining the People's right to existence with its obligation to sanctify its existence. Our pre-occupation with the *mizvah* of survival should not obscure the mandate to hallow our survival by addressing ourselves to the tasks of the moral and spiritual regeneration of the People Israel, in *galut* and in *moledet*. The conviction pervades Rabbinic and mystical literature that the people's sinfulness and moral pollution of its land caused the exile of the *Shekhinah*, the subjugation of the People to the nations, and the subjection of the *Shekhinah* to the realm of *sitra ahra*. As a movement which reincarnated the prophetic impulses in our tradition and has spoken prophetically to America, we cannot shrink from speaking to the issues of social morality in Jewish and Israeli life. Reform has restored the issues of social conscience to the realm of authentic religion. This has been one of our greatest triumphs and we dare not betray it. Yet, the silence of the Progressive Movement in Israel on issues of conscience outside of our own internal concerns is embarrassingly pronounced. By pursuing the important but largely priestly objectives of securing equal rights in Israel, while soft-peddalling our traditional prophetic concerns, we can defeat ourselves by steadily becoming less distinguishable from that very Orthodoxy from which we have sought to differentiate ourselves. Freud taught us that the ordinary person is a shrunken fragment of what he can be. This lesson applies to a people and to religious movements as well.

If we seek a progressive theology of Zionism, we must venture upon another *zivug*, the People of Israel with the faith of Israel. We are not only an *am*. We are an *am kadosh*. The bifurcation of this entity threatens

disintegration for the People and the State. We are not a confession alone. We will not allow our enemies to define us. We are not an ethnicity alone. We will not respond to our enemies' definition by asserting this absurdity. The unity of the Jewish People requires a holistic perception. We are spared unrelieved despair because of Israel, but Israel has come into being not for its sake alone but for the sake of the Jewish People, and the Jewish People cannot endure in astringent isolation from its pluralistic, yet singular, religious tradition. I once believed that secular Jews were subconsciously religious. I am now persuaded that a few reject the religious component, however freely it may be defined. They may yet discover what many in the kibbutzim have learned—that secularity alone leads to a dead end and to spiritual disorientation. Again and again, from the Six Day War to the Entebbe Airfield in Uganda, in our triumph and despair, we have converged on the Western Wall and in our synagogues to pour out our hearts. This is not the response of an exclusively political community, and we must not abdicate the life-giving component of faith for the brittle bauble of ethnicity.

Just as our tradition joins *geulah* to restoration, so does it join *tikkun olam* to *tikkun ha-am*. Reform's early conception of Israel's mission may have been distorted, but we err when we reject mission as foreign to Judaism. The Zohar speaks of the mystic unity binding cosmic and human existence with divine existence.<sup>15</sup> The Temple in Jerusalem was considered the source of blessing for the powers of nature, for Israel and for the nations.<sup>17</sup> "Thus," says Gershom Scholem, "a mission was entrusted to the collective body of the soul of Israel . . . the Tikkun and final redemption of the world."<sup>18</sup> We are not impervious to the world. Being schooled in *galut*, we see a Free World threatened with its own *galut* which would imperil us as well as the West. Our fates and destinies are linked. The West has been warned by some of its greatest spirits that it ignores our fate at its peril. And out of our own millennial ordeals we can teach a lesson of perseverance and faith to a Western World that has not only been expelled from its own imperial domains but is adrift in a spiritual wilderness. What can we say to such a world-in-*galut*, a post-national, apocalyptic world? That the nation is not absolute, not ultimate, that there is a Jewish alternative.

The Biblical cry, "Let us be like all the other nations," has not subsided. Early Reform challenged it by attempting to annihilate Zionism. Neither history nor the spirit of our tradition would countenance that. But we who are committed to the State of Israel must not countenance the reduction of this State to a prototype of all the others, especially in a post-national and apocalyptic age, poised over the abyss.

It is beyond the capacity of political Zionism, with which I identify, to

15. B. *Taanit*, 5b.

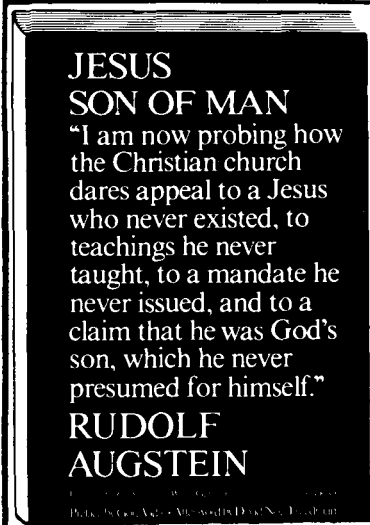
16. *Mishnat ha-Zohar*, II, p. 201.

17. *Ibid.*, p. 180

18. G. Scholem, *Kabbalah* (New York: Quadrangle Press, 1974), p. 165.

enter upon a theological odyssey. Nor should it. But Zionists who are also religious should not be limited to the legitimate, but more rigidly structured, requirements of political Zionism. Individually and collectively, through the World Union for Progressive Judaism, we should work within the structure of the Zionist movement, and not foregoing our considerable influence to bear upon it. But there is more that we can do. Without becoming a party which would at once politicize us and diminish our authenticity, we should consider creating a platform of liberal religious Zionism and acting in response to it. The World Zionist Organization is laboring to issue a statement of Zionist principles. We should augment that with a position by religious Zionists, devoted to *Medinat Yisrael* in the spirit of *Masoret Yisrael*, in its diverse manifestations. We do not need to subscribe to the Mizrahi Party nor to approve of its politicization to recognize the wisdom of proclaiming an authentic religious Zionist message to our People.

"That which comes into your mind shall not be, in that you say, 'We will be as the nations' . . . As I live, says the Lord God, with a mighty hand; and with an outstretched arm . . . will I be King over you."<sup>19</sup>



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19. Ezekiel 20:32, 33.



## A Masterly Portrayal

*Levi Yitzhak of Berditchev: Portrait of a Hasidic Master.* By SAMUEL H. DRESNER. New York. Hartmore House, 1974. 224 pp.

Reviewed by ZALMAN M. SCHACHTER

THE SUBTITLE, *portrait* is wisely chosen. This is not a historical biography or a study such as Dresner's own study, *The Zaddik*, which I reviewed for JUDAISM (Vol. 10, No. 4); it is a portrait, an artist's picture in which one can really perceive the person who is portrayed, though the style of the artist is also discernable. In this case the artist intrudes less into the work and is more faithful to the subject than, let us say, Wiesel's *Levi Yitzhak*, which, while also really recognizable as *Levi Yitzhak*—and, perhaps, in some of his most distinct lines, though impressionistically drawn—has some of Wiesel's own features appearing in the highlights.

The writing of hagiographies is a difficult art. *Levi Yitzhak* is such a perfect subject in his arena—the synagogue on the High Holy Days while, at the same time, before the heavenly tribunal—that the real person of the Berditchever often disappears behind the great archetype. Most hagiographers would wish to have in their subjects such clearly demonstrable personal and visible traits of sainthood as are in *Levi Yitzhak*. The saint may be one whose utterances and exploits seem so much beside the point to the contemporary reader that the significance of the sainthood completely escapes him. Or the saint may be commonplace, fitting the expected description of sainthood as if he were plaster, cast to some popular stereotype. It is because *Levi Yitzhak* is neither abstruse nor

the common type that he is not easily drawn well. There is too much temptation to exaggerate the person into a type: The Berditchever. Or, there is the other way, which is more popular in America,—to debunk him slightly, to point to his foibles and to let the reader enjoy a kind of smart aleck *mevinut* expertness. This tactic cannot work on Rabbi *Levi Yitzhak*. His magnanimity as well as his humility shame such an approach.

\* \* \*

Dresner is a good writer of that inspiring style which he, a faithful disciple of the late Heschel, acquired from his teacher in his early American period. The later Heschel felt it right to share with us his own inner dialogue with the Kotzker and, in that sense, he and Wiesel mutually influence one another in the way that they painted themselves into the picture.

In telling us of *Levi Yitzhak's* life, Dresner also had to do a great deal of scholarly historical work. The material was not as well chronicled as the life of Nahman of Bratzlav by his amanuensis, Nathan of Nemirow. Among the scattered and often conflicting details in the chronicles that were available to him, Dresner made wise and informed decisions. He gives us a short chronology to cover *Levi Yitzhak's* sixty-nine years: as young man, as disciple of the great Maggid, as Rav in Zholokhov, Pinsk and Ritchoval and, finally, his amazing rabbinate in Berditchev.

Dresner beautifully balances the teachings with the legends, weaving a tapestry that both Scholem and Buber would have to respect. The teacher as well as the hero are presented. Buber gave us only the hero; Scholem gave us only the ex-

traordinary sayings and not the *amkho* saint. Dresner combines both and does it well.

This does not mean, however, that further work on Levi Yitzhak cannot be done. A historian of Hasidism has still much to tell us. As a religious thinker, Levi Yitzhak has not yet been dealt with. His teachings are often most radical and he is, even for today, *avant garde*, witness his teaching on *teyqu*. One might expect him to endorse rather uncritically all the decisions of the past. But, since his concern as spiritual guide was with persons in their situations, he was aware of the changes needed by each generation in order to have a real contact with the will of God as it expressed itself at that time.

The Berditchever asked: "Why do the rabbis promise that all the questions will be answered by Elijah the prophet when he comes to announce the Messiah and not, let us say, Moses himself who then will be resurrected?"

And he answered his own question: "Moses died and we cannot hope to be helped in our current day problems by Moses, who completed his life, Peace upon him." Since that time the Torah has been placed in our hands and if one's soul is on the side of grace everything is pure, permitted and kosher, and if on the side of rigors the opposite holds true. Yet each one according to his level is the vehicle for the word of the living God. That is why the sages, realizing the need for grace in this world, set the halakhah down according to the teachings of Hillel for this is the world's need. Now he who is alive and in this world knows well what the needs of the times are and the attribute which we need to live by in this world. Now, since Elijah exists and is alive and never died, never tasting the taste of death, and all that time has remained right here on this planet, therefore, he, and no other, is suited to resolve our doubts (*Qedushat Levi*, [Muncacs], 108b).

For the theologian, the entire field of Hasidism is still virgin territory. Heschel's Kotzker is a solitary hero. And, indeed, so he was; but the Kotzker is also a profound religious thinker. The Kotzker's friend, disciple and, later, dissenter, R. Mordechai Yosef of Izhbitza, has hardly been noticed. Despite all of the publications on Schneur Zalman of Ladi, his theology has not yet really been detailed and processed, with the exception of the work by Rivkah Schatz and Louis Jacobs. There is a fine study of the Tzanser in the works by Rabbi Salomon Faber but, by and large, the disciplines that would be needed are not often found in one and the same person. Arthur Green's doctoral dissertation on R. Nahman of Bratzlav (soon to be published by the University of Alabama), could serve as a methodological model for the field. The folklorist has much to tell us about the way in which Levi Yitzhak, in being the popular Berditchever, has influenced arts and letters, on the one hand, and Jewish life in custom and tradition, on the other.

To be sure, only a scholar could have written this particular work. Besides dealing with some of the lives of Levi Yitzhak and his main work, the *Qedushat Levi*, the author consulted the works of the master's sons and disciples, as well as the various legends which have been told. And even if "Berel the Tailor" is Peretz's retelling of a popular tale, if not an original creation, and Buber's Levi Yitzhak is given to us almost verbatim, nevertheless, the composite present portrait is the Levi Yitzhak we know and love on the Jewish street *and* in the house of study.

ZALMAN M. SCHACHTER is professor of religion in Jewish mysticism and of the psychology of religion at Temple University.

## How to Study Heschel

*Between God and Man: An Interpretation of Judaism, From the Writings of Abraham J. Heschel.* Selected, edited and introduced by FRITZ A. ROTHSCHILD. With a revised Introduction and a complete Bibliography. New York: The Free Press. \$4.95 (Paperback).

Reviewed by LOU H. SILBERMAN

SOME YEARS AGO, in a discussion of Heschel's thought, I wrote, commenting on some responses to his earlier writings: "His language is frequently singled out for praise as sheer poetry and as often condemned as mere jargon. His sentences are acclaimed; his paragraphs, scorned." Related to those judgments was, it seemed to me, the position he held in The Jewish Theological Seminary: Professor of Jewish Mysticism and Ethics. Since he was professor of Jewish mysticism—the ethics often was lost sight of—he was *eo ipso* a mystic and his writings were mystical. One's attitude therefore, toward that phenomenon often determined—consciously or unconsciously—what was said in response to his works. Of this latter problem it may be stated that whether or not Heschel was a mystic, his writings were not mystical writings. He wrote as a philosopher of religion, seeking to explicate on an intellectual level the structure and meaning of religious experience. This was the stance taken in his first major work, *Die Prophetie*, and it remained the methodological framework of his quest throughout his life. As for the first problem, while the negative attitudes were grossly overstated, it may be said that they contained a kernel of truth. I once accused Heschel of having a mad love affair with language and he did not deny it. His thought and the mode of expression which he created for it

are very much like an oriental prayer rug. The design is subtle, thematically repetitive, reticulate, with tendrils intertwined and interwoven; the texture is thick and rich; the colors shaded from the boldest to the most discriminating. And as such a rug is comprehended only as one's eye learns to follow and to respond to pattern, so, too, is Heschel's thought fully available when the reader has schooled his mind to follow and to respond to its grand design.

It is, then, the excellence of Fritz Rothschild's volume that it is concerned not to reduce Heschel's thought to an "essence" but to introduce a reader to the way in which Heschel is to be studied. It is a *vade mecum*, that offers its hand to one who stands ready to make the journey into the realm of Heschel's world of ideas. The brief twenty-six page introduction is concerned to point out *how* Heschel thought and it is that "how-ness" that is all important. It is crucial to recognize the dialectic nature of that thought. Once a problem has been raised, an answer is sought, not on the basis of a self-assured claim doting upon itself but as a response not merely to the problem but to other answers that are offered. These others are taken seriously as serious reflections upon the question raised and are responded to on the way to Heschel's own response.

The structure of Rothschild's introduction corresponds to the division of the selections from Heschel's writings. Thus, section III introduces one to Heschel's multifaceted discussion of religious experience, documented in Part I. Section IV reflects Heschel's doctrine of God as expounded in Part II: the God of the Prophets. With reference to this material, I again express my regret that *Die Prophetie* was not translated as it stood originally rather than being revised and included in *The Prophets*. These are

two quite different books and the unavailability of the former in English makes it difficult for many to take hold of Heschel's thought at a formative stage. Section V corresponds to Heschel's religious anthropology reported in Part III, while section VI introduces us to Heschel's understanding of halakhah, discussed in Part IV: Religious Observance. The final part, V, stands outside of Heschel's systematic statement, although chapter 39, "Understanding the Bible" is drawn from *God in Search of Man*.

A technical drawback in this volume is the relegation of the source citations to the back rather than at the point of citation, although one recognizes that the desire not to interrupt the flow of the text may have been the motivation. A more serious lack, but one that could not be remedied, is the absence of Heschel the public figure, involved in the civil rights movement and the anti-war program of the 60s and early 70s. It was in the latter period of his life, although never absent from the earlier, that the "Ethics" of his academic title came to the fore. His earlier struggle with *mizvah* had seemed to concern itself with the personal and the private, but that may have been our misunderstanding. At the end, in and through his life, we came to know that the *mizvah* is to be performed not only in the cloister of one's private life but out upon the highways and the byways. One of the first pieces that Heschel published in English is the last chapter in this volume "The Meaning of This Hour." In it he wrote that the *mizvah* that discloses God is the *mizvah* that banishes the mark of Cain from man's face so that the divine likeness again shines through. But we cannot come to the last chapter without all of those before, and it is the virtue of Fritz Rothschild's vol-

ume that it enables us to want to make the journey.

LOU H. SILBERMAN is professor of Jewish literature and thought at Vanderbilt University.

### The Core of Jewish Identity

*Studies in Jewish Thought*. By DAVID S. SHAPIRO. New York, N.Y. Yeshivah University Press. 432 pp.

Reviewed by BEN ZION BOKSER

CONTEMPORARY Jewish thought often tends to focus on the sociological aspects of Jewish life, reflecting a preoccupation with the problems of ethnic survival. David S. Shapiro's volume, *Studies in Jewish Thought*, is, therefore, especially welcome, for it takes us to the core elements of Jewish identity, to the conceptual world of Jewish religious ideology. The author takes us through the entire range of Jewish religious thought, from Bible to Talmud, through Jewish philosophy and Jewish mysticism, and he focuses on aggadah as well as halakhah, on doctrinal as well as behavioral issues.

The essays included in this volume have a unifying theme, but they are not the natural delineation of a core concept. They were written at different times and appeared separately in different journals. The integrating element is the author's central philosophy which is unfolded, in different contexts, in the selections. Five of them explore the most philosophical of the Biblical books, Job, and one is devoted to the book of Jonah. Others deal with basic concepts in Judaism: *imitatio dei*, wisdom and knowledge, holiness and *hesed*. Several essays explore different problems in the halakhah. Perhaps the most significant of the essays are the profiles of

the life and philosophy of the three great masters of Jewish thought: Moses Maimonides, Shneur Zalman of Ladi, and Abraham Isaac Kook. In his exposition of these themes Shapiro has drawn on a vast command of knowledge, not only of the classic Jewish sources and the later expository literature, but on the relevant philosophic literature of antiquity as well as of modern times.

The strongest portion of Shapiro's book are the chapters dealing with the Biblical themes. He shows us that the underlying goal of the Bible is to lead man towards *imitatio dei*, the imitation of God's ways as exemplified in the acts of creation, which are described as various aspects of His love. Wisdom, as idealized in the Bible, was not for the sake of formulating a gnosis, a knowledge of God's hidden ways, but as a means of reinforcing our ethical quest. Even the study of Torah was seen as a means of achieving "Torah-likeness which is God-likeness." The chapter on Holiness is a beautiful explication of what this concept means in behavioral terms. Shapiro offers us many valuable insights in dealing with the human condition and indicating the relevance of Biblical teaching in helping man to achieve meaning and order in his existence.

It is in the philosophic and halakhic themes that the author's treatment reveals a certain weakness. An analysis of several essays will point that out, but will also call attention to the author's strength of perception. The opening chapter, "The Doctrine of the Image of God and *Imitatio Dei*" offers a detailed, well-documented survey of the concept of *imitatio dei* in the various stages of Jewish thought. It plays a dominant role in the Biblical doctrine of man where man's endowment with the divine image characterizes his essential nature, though "its relevance is restricted to the

sphere of action." Every call to holiness, every prescription of a moral deed has the motivating consideration that this is God's way, and we are summoned to emulate it. Shapiro takes us through the rabbinic elaborations of the concept, follows with a study of its refinements in Jewish philosophy and in Kabbalah, and compares it with similar concepts in Aristotle and Plato, in Buddhism and in Christianity.

The one problematic aspect in making God's attributes the model for human emulation lies in the fact that the classic statement of God's ways, or the attributes of His action in the world, the so-called thirteen attributes of His mercy as enumerated in Ex. 34:6-7, include an element of severity: God is described as "visiting the iniquity of the fathers upon the children and upon the children's children unto the third and unto the fourth generation." Shapiro shows us how the rabbis contained this statement, limiting it to cases where the children continued in the wicked ways of their fathers, and how they finally nullified the teaching of inherited guilt with Ezekiel's declaration that only "the soul that sinneth—it shall die" (Ez. 18:4). At any rate, the call to emulate God is confined to His positive attributes, to His mercy and His lovingkindness, to His solicitude for the welfare of His creatures and not to His retributive judgments.

In discussing this concept in the Cabbala, Shapiro cites the *Tomer Devorah* by Moses Cordovero as unique in basing the thirteen attributes of God's mercy on Micah 7:18-20, where there is no reference to God's severity. On the contrary, there we are told that God "pardons iniquity and passes over the transgression of the remnants of His heritage." But this is not a unique contribution of Cordovero's. It appears in earlier layers of the Kabbalah, in the *Shaare Orach* of

Joseph ibn Gikatila (Gate 10) and in the Zohar, some two-hundred years before Cordovero. Indeed, the Zohar confronts the contradictions between the passages in Exodus and in Micah, and suggests that the teaching revealed to Moses corresponds to a lower manifestation of the divine, as it moves toward the realm of finitude, where the elements of severity enter and shrink the zone of God's love, while the passage in Micah presents a higher expression of the divine potency, as is embodied in the *sefira keter*, which is closest to the *En Sof*. Here there is only pure, unmitigated love. It is noteworthy that Cordovero follows the Zohar in the analysis of the Micah passage, drawing from it thirteen categories of mercy to correspond to the thirteen categories in the passage in Exodus (Zohar III 131b–132a).

In the essay, "A Note on the Guide of the Perplexed," Shapiro gives a succinct formulation of the core position of Maimonides as a philosopher, indicating clearly that the conventional portrayal of Maimonides as the super-rationalist is unfounded. On the contrary, the *Guide* expounds on the limits of rationality and focuses particularly on reason's impotence in deciding the crucial issue of religious faith, whether the universe is eternal or created. Here, and in other areas of basic faith, we are dependent on another channel of truth—revelation. Still another aspect of Maimonides' uniqueness is "his militancy in combating unrefined religious conceptions," his ceaseless "battle for the purity of the conception of God" (p. 260). Such statements are helpful in contributing toward a necessary reassessment of Maimonides' place in the history of Jewish philosophy.

But the student of Maimonides misses here a more subtle aspect of his thought. For Maimonides, prophecy was a mystical experi-

ence, and as such it was amorphous and had to be shaped by the prophet's subjective attributes, principally his reason and his imagination. The infusion of imaginative elaborations into the prophet's portrayal of his experience necessitates a rational delineation between the figurative and the literal. While Maimonides regarded the Torah as the fruit of revealed truth which can take us into zones where reason is inoperative, he invited reason to decipher the meaning of the Torah and to draw from it the cogent norms of faith. This position of Maimonides is of more than historical interest. In the light of the current upsurge of mysticism, Maimonides offers us a critically important reminder that, left to itself, mysticism may take us to obscurantism and to the occult, unless its fruits are subjected to the pruning ministry of intelligence.

The essay on Rabbi Kook is written with passion and reflects great admiration for this remarkable modern scholar and mystic. Shapiro writes perceptively of Kook as the harmonizer between cosmopolitanism and nationalism, between religion and secularism, as the staunch advocate of general culture as a vital adjunct to the study of classic Jewish texts, as the courageous critic of the religious establishment of his time for its cultural backwardness and ethical insufficiency. He portrays him to us as a Kabbalist for whom the whole universe was stirred by the pulsating energies emanating from the divine source of all existence.

One misses, however, any reference to what may be regarded as the most revolutionary aspects of Kook's thought, his interest in mysticism, which was not confined to the scholarly and pietistic study of Kabbalistic texts. Kook saw the divine illumination as a continuous pouring of divine light upon those sensitive to receive it, and he por-



trayed the history of Judaism in terms of an ongoing tension between the new light evoking a constant re-generation of life, and a heritage from earlier illuminations that had become crystallized in hallowed texts, a tension, in other words, between new creativity and tradition. Tradition is a moment in the endless flow of eternity, wrenched from the whole and given a shape and form that permits us to re-encounter it continually. But, at the same time, it distracts us from new light pressing on us. Tradition is precious as far as it goes, but it keeps us in the confinement of finitude.

The perception that the hallowed texts do not exhaust the divine-human dialogue and that God is releasing new light upon his world was responsible for Kook's own inner anguish which he expressed vividly in a short meditation on the "holiness of silence."

If a person who has risen to the holiness of silence should lower himself to a particularized form of divine service, in prayer, study, the limited problems of morality, he will suffer and feel oppressed. He will feel that his soul, which embraces all existence, is being pressed as though with prongs, to surrender her to the lowland, where everything exists within a prescribed measure, to the narrowness of a particular path, when all paths are open to him, all abounding in light, all abounding in life's treasures (*Orot Hakodesh*, vol. II p. 307).

This same tension is reflected in Rabbi Kook's attitude toward the halakhah. Though he was a great halakhist and a staunch advocate of halakhic discipline in personal and group life, he was also sensitive to the divine rhythm which evoked the halakhic formulations but of which they are only imperfect expressions.

Great anguish is experienced by one who leaves the wide horizons of pure contemplation, suffused with feeling, with poetry of the most exquisite beauty, and enters the study of the confined world of halakhic enactments . . . A person who is stirred by a soul ennobled with the splendor of holiness suffers frightful anguish at the chains of confinement when he leaves the one branch of study for the other" (*Orot Hakodesh*, vol I, p. 28).

As a halakhic authority charged with the responsibility of rendering decisions that were to become the norm of law in the Jewish community, he revealed a flexibility which made him anathema to the traditionalists. Thus, he sponsored a *takkanah* which exempted Jewish agriculture from the restrictions of the sabbatical year. But the zealots of the old order continue, to this day, to ignore this *takkanah*, and are careful to avoid purchasing agricultural products from Jewish growers during the periods which fall within the sabbatical year.

It is not altogether true, then, that the extremists hounded him "for no good reason" (p. 287). By their lights, Kook represented a grave heresy; he seemed to them another Shabbetai Zevi. The opposition to Rabbi Kook by Jerusalem's religious extremists was inspired by ideological considerations, as Rivka Shatz has shown in her recent study of the polemics against him (*Molad*, March 5735, pp. 251-262).

The present volume includes several essays on halakhah. One deals with its ideological foundations, and we have expositions of specific halakhic themes: the attitude to peace and war, the sabbatical year, the duty of childbearing, and the attitude to secular study. Shapiro's method in dealing with these is similar to his treatment of the other subjects in the book. He gives us extensive citations of classic texts from which there emerges a



noble profile of Jewish moral sensibility. Though we see the halakhah as a path leading man toward God, one is troubled by a certain timidity in confronting its controversial aspects.

The primary difficulty with Shapiro's treatment is an insufficient provision for the historical dimension of the halakhah, which is an amalgam of the divine word and the human-historical evocation by that word. This makes halakhah subject to historical pressures and it legitimates change through the configuration of those pressures. Shapiro does allow for "a dynamic and flexible application of halakhah" (p. 125), but he tends to draw back when dealing with this admittedly sensitive subject. Thus, he reinterprets the Talmudic aphorism: "These opinions and the others are the words of the living God" (*Eruvin* 13b) to mean: "There is a place for divergent views, each of which is true in its time and place" (p. 401). The original Talmudic aphorism referred to the controversies of Bet Shammai and Bet Hillel, who were contemporaries. The Talmudic category is thus broader and more liberal than is Shapiro's. The question of sanctioning diversity in practice finally led to a call for uniformity in behavioral aspects of the law, on the basis of a majority of the sages, but diversity, in the doctrinal area, remained legitimate.

Shapiro's insufficient confrontation of change in halakhah leads him to be overly apologetic and homiletical in dealing with some of its more problematic aspects. Thus, he states:

The Torah wishes women to remain true to their basic character as compassionate and modest; hence it excludes them from activities that require boldness, aggressiveness, and a certain degree of harshness to carry them out. Thus, the formal initiation of a divorce procedure

must be made by the husband (p. 428).

The painful problem of the *agunah* is, to some extent, rooted in this disqualification. On another point the author acknowledges that "we may find it difficult to reconcile ourselves to the re-establishment of the sacrificial system in a reconstituted Sanctuary in Jerusalem," but he is not ready to suggest that the sacrificial system might, indeed, be an epochal institution which has now been transcended. Instead, he suggests that "in the future, when the glory of God will be made manifest and all men will see that the Lord has spoken, the sacrificial order will be seen in a new light" (p. 139). It is interesting to note that Rabbi Kook did not hesitate to suggest that, in place of animal sacrifices, the service in a restored Temple would introduce offerings from plant life, as in the harvest festival (*Olat Rayah*, vol. 1, p. 292).

These reservations about Shapiro's treatment of some aspects of his themes are not meant to disparage the value of the book as a whole. The author undertook a formidable task—to deal in depth with some of the most basic problems in the history of Jewish thought—and, in most cases, he performed it with commendable competence. The careful reader will find here a rich treasure of erudition and many illuminating insights. He will welcome it as an important source book of great ideas and of the leading personalities who expounded them in the long history of Jewish grappling with the mystery of life in a God-centered universe.

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## One Thousand Years of Jewish History

*The Russian Jews Under Tsars and Soviets.* By SALO W. BARON. New York. Macmillan Publishing Co., Inc., 1976. xvii + 468 pp.

*Reviewed by* LEON SHAPIRO

WE ARE all indebted to Professor Baron, who is probably the last representative of the great school of Jewish historians-generalists. The same mastery of sources, familiar to students of his general Jewish history, is apparent in his treatment of the particular subject of Russian and Soviet Jews. Indeed, this mastery enables Baron to demonstrate, on the whole, a judicious and well-thought-through selectivity in presenting some one thousand years of Jewish life in Russia and under the Soviets. He does not burden the reader with great detail but uses important illustrations to present his narrative in a systematic way. While there is room for differences of opinion as to emphasis, the author of a study of this kind must be guided by his own criteria of relevance.

In this second edition of his original work, Baron devotes to the general survey and the pre-1917 period some 170 pages, another 170 pages to the period after 1917 and over 100 pages to notes. These last offer a rich reward for the reader.

Unlike some recent studies on the Soviet Jews, Baron's has an historical depth that serves as a natural background to the unfolding events. He begins with a survey of the early Jewish situation in Russia: Crimea, the Khazars, the Kievan Rus, the Jews in the great Duchy of Moscow, and the Jews under the first Romanovs. While he emphasizes the era of Catherine the Great (1762-1799), when the three partitions of Poland (1772, 1793,

1795) brought to Russia hundreds of thousands of Polish Jews and, in fact, began the great period of Russian Jewish history, his notes pertaining to the earliest period, which the reader would do well to consult, show how careful he has been in his treatment of the events of this faraway time. The history of the Jewish Khazars is particularly worthy of attention in view of the fantastic stories that have lately been spread by writers who should know better.

Some few years after the third partition of Poland (1795), the Russian authorities embarked upon a policy of Jewish exclusion. In connection with this period, Baron devotes special attention to the notorious Derzhavin opinion on "How to Avert the Scarcity of Food in Russia through Curtailing of the Jews' Avaricious Occupations through Reformation and Other Matters." Derzhavin, the poet who, under Paul I, suddenly became an expert in Jewish affairs, was apparently maintaining a solid tradition in Russian statecraft, a tradition, judging by Soviet anti-Jewish policies, that has continued to our own day. In both text and notes, Baron puts Derzhavin's opinion into proper focus, an important contribution, since Derzhavin and his times are now under scrutiny by younger scholars.

Baron's interest in social and economic factors is well known. His chapter on population, migration, and the growth of Jewish urban centers brings together important data on social changes among the Russian Jewish community in the period before October 1917, a period not usually sufficiently emphasized by historians. He makes only brief reference to the March 1917 revolution and the Kerensky regime, and this is to be regretted, particularly since there is now available a substantial body of memoirs, studies, and documenta-

tion concerning the Lvov-Kerensky period, which was one of fundamental importance for the destiny of Russian Jewry. It was, in fact, the only time, albeit of short duration, when Jews in Russia were full citizens, in the sense that they were able to determine their own national goals.

A large part of this volume is devoted to the Soviet period. Happily, Baron avoids the pitfalls confronting the present-day student, and rightfully points out the essentially Russian source of the Bolshevik revolution, although he may have placed unduly strong emphasis on the place of Jewish men and women during the first years of the Soviet regime. Whatever the number of Jewish Bolsheviks or Bolsheviks of Jewish origin (for instance, Kamenev), Jews were outsiders and their presence in the regime would not have changed by one iota the attitude of those Russians who hated all Jews.

In his survey of the period of Evseksiia, Baron describes the work done by Jews at the time in literature, the theater, and even some Jewish research, notwithstanding the politically and ideologically negative attitude of the Soviet leaders toward Jewish activities. One should bear in mind that among Evseksiia militants, who included some former Bundists and Zionists, there were sincere men and women who believed in the possibility of secular Jewish life under a totalitarian regime. They were deeply mistaken and paid dearly for their illusions, but that came later.

Baron describes the gradual destruction of Russian Jewish life and the annihilation of the Jewish intelligentsia under Stalin. He has interesting things to say about the post-Stalin era and particularly the present Jewish situation in the USSR. He is skeptical with regard to the official figure of total Soviet Jewish population (2,151,000) ob-

tained by the 1970 Soviet census, and discusses the matter in detail. I confess to a particular interest here, and hope that students of Soviet Russia and of Jews in Russia will continue to give their attention to this problem, which has much more than purely statistical significance. In my view, the Soviets are trying to solve their "Jewish problem" by statistically reducing the number of Jews to the point where, one day in the future, if the process continues, there will be, statistically, no Jews in Russia to speak of.

In the midst of the voluminous discussion of what to do and what not to do about Soviet Jewish emigration, Baron, it seems to me, joins his voice to those of us who feel that while emigration must be supported, we should not fail to listen to the new articulate voices of Jews remaining in the USSR. Under present social and economic conditions, the overwhelming majority of Russian Jews cannot emigrate, and we must think of ways to help them to live a Jewish life where they are. A disquieting trend has been the considerable number of Jewish intellectuals who have accepted conversion to the Greek Orthodox faith. Baron refers to Boris Pasternak. There have been many others. The physicist, Lev Regelson, a convert, recently joined Father Iakunin in protesting to the World Council of Churches about the status accorded the Greek Orthodox Church in the USSR. Before her emigration to the West, Natalia Gorbanevskaja, a poet, declared that she had converted. Nadezhda Mandelstam (wife of the poet, Ossip Mandelstam), Galich, Agurskii, and many others are now professing their spiritual attachment to the Greek Orthodox faith.

In the next edition, some unfortunate misprints and errors should be corrected. Jakov Sverdlov (1885-1919) was not the first president of the Central Committee of

the Party (p. 169); he was chairman of the Supreme Soviet and secretary of the Central Committee. (In 1917-19, Lenin was alive and, of course, headed the Party.) Baron Horace Gunzburg did not have a son-in-law named Hirsch (p. 92); his daughters married a Sassoon in London, a Gutman in Austria, and an Ashkenazi in Russia. Some Russian phrases and words are misspelled. The Kiev suburb is Podol, not Podole (p. 5). The Russian term for scientific worker is *nauchnye rabotniki*, not *nauchinii* (p. 306). Roy

Medvedev's article should be spelled *Blizhnévostochnyi Krisis*, etc., not *Blizhnovostochkii* (p. 444).

Notwithstanding these details, the volume should be read by all students interested in the evolution of the Russian Jewish community, both under the Empire and throughout the Bolshevik period. It is a "must" for those eager to learn.

LEON SHAPIRO teaches Russian and Jewish Soviet history at Rutgers University.

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